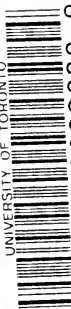


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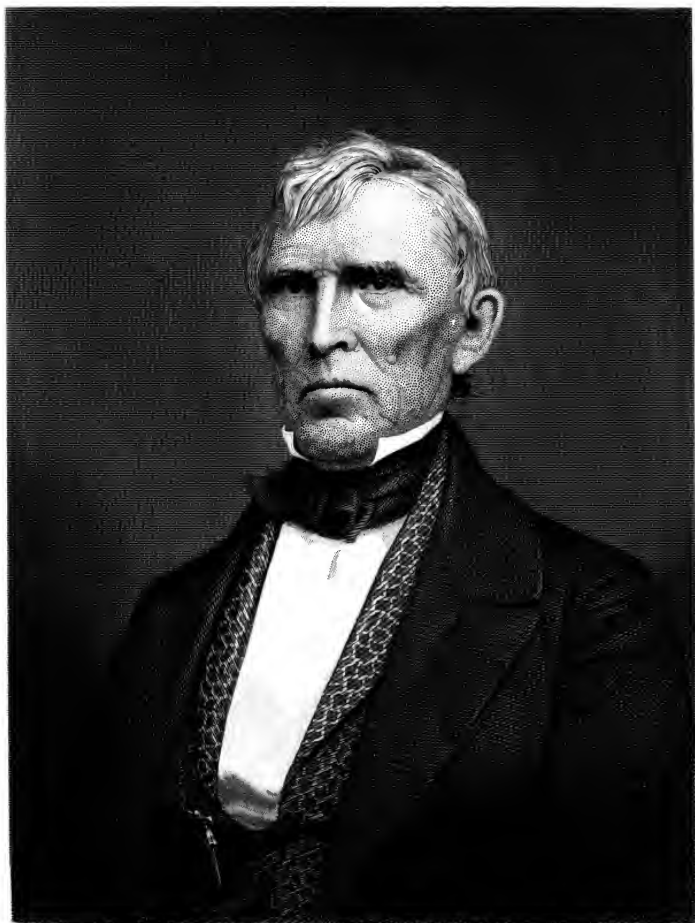
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*Herrtenden*

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THE LIFE  
OF  
JOHN J. CRITTENDEN.



*A. Brittain*

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THE LIFE

OF

JOHN J. CRITTENDEN,

WITH SELECTIONS FROM

HIS CORRESPONDENCE AND SPEECHES.

EDITED BY HIS DAUGHTER,

MRS. CHAPMAN COLEMAN.

IN TWO VOLUMES.

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*VOL. I.*

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PHILADELPHIA:  
J. B. LIPPINCOTT & CO.  
1873.

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I DEDICATE

*These Volumes*

TO MY GRANDSONS WHO BEAR THE NAME OF

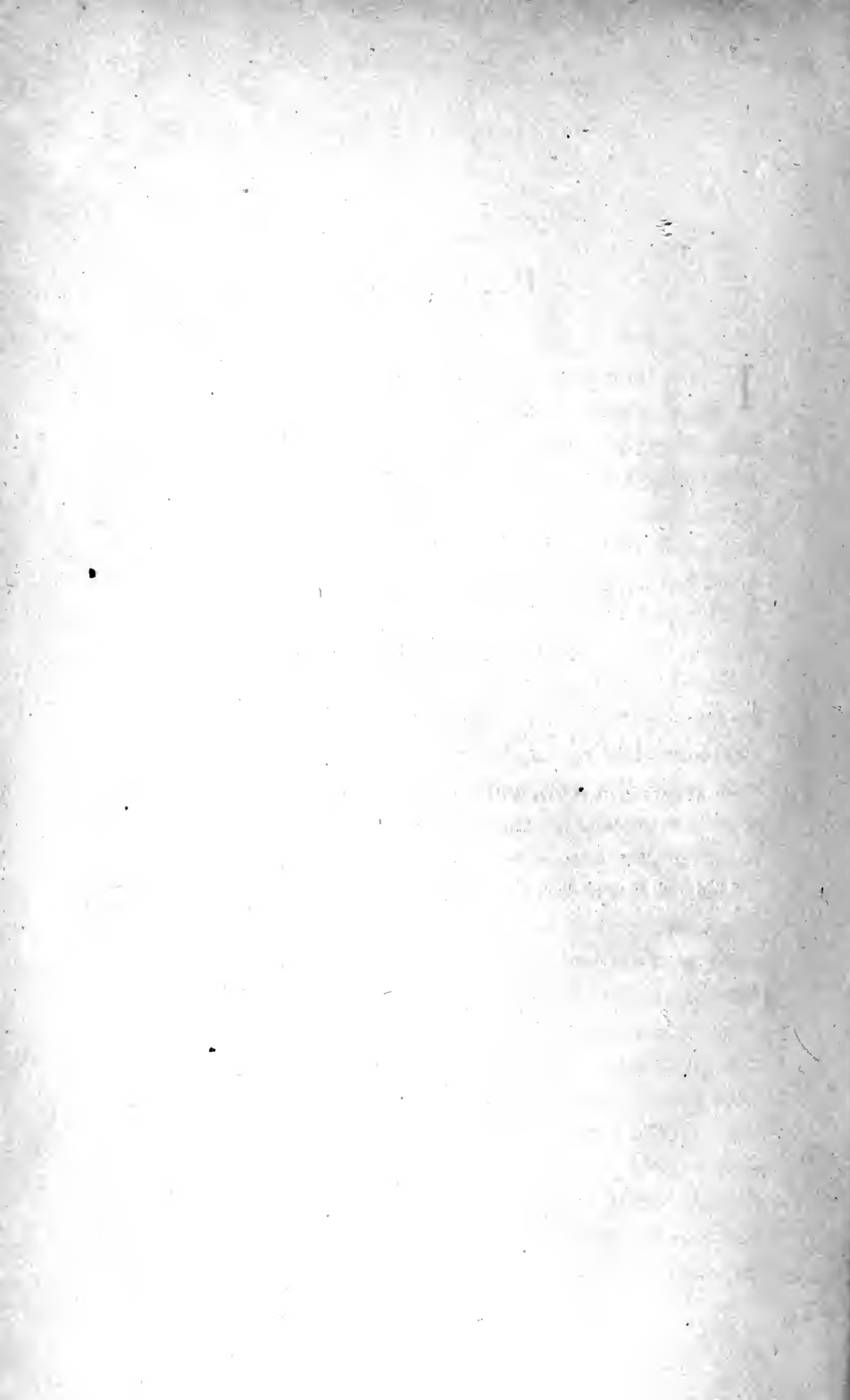
JOHN J. CRITTENDEN,

HOPING THAT THIS RECORD OF A NOBLE LIFE MAY INSPIRE THEM TO  
UNSELFISH PATRIOTISM AND ACTS OF LOVE AND KINDNESS.

"MAY ALL THE ENDS THEY AIM AT BE THEIR COUNTRY'S, THEIR  
GOD'S, AND TRUTH'S."\*

---

\* "May all the ends thou aimest at be thy country's, thy God's, and truth's," were among the last words spoken by Mr. Crittenden, and they are engraved upon his tomb.



## P R E F A C E.

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IT may not seem appropriate that the life of so great and good a man as Mr. Crittenden should be written by the feeble hand of a woman. There was, however, danger in delay, as many of the records necessary for such a work were being lost or obliterated. The consciousness of this fact impelled me to the effort I have made, and now submit to the public. My heart has failed me many times since I commenced the work, but I have been again encouraged by words of cheer and kindly interest from more than one who knew and loved my father.

Many distinguished men make preparation, during their lives, for handing down their names and reputation to posterity. Mr. Crittenden had repeated applications, from persons acquainted with political events, and capable of writing his life, for information necessary for that purpose, but he always declined. I heard him say once, in reply to such a request, "I have promised a friend that if there should be anything in my poor life worthy of record, he shall record it." The name of that friend I have never been able to ascertain. My purpose has been to let my father speak for himself through his letters and public speeches, only endeavoring to link together these scattered fragments, and give such recollections of early days in Kentucky as would have interest in connection with him in his social and political life. Of the mass of letters in my possession, addressed to him during forty years of his public life, I have selected such as I thought would have a general interest, being in themselves historical,—a partial history of the times, and characteristic of the eminent men who adorned them. I have also ventured to in-

troduce a number of family letters. It has always seemed to me that a man's character, his "heart of hearts," is most surely displayed by such letters. My father was not a demonstrative man in his daily intercourse, most certainly he was not demonstrative in his family circle, but his letters to his wife and children are the exponents of his grand, simple, and loving nature. I have but few of his political letters; my application to distinguished men, or their executors, for his replies to their letters now in my possession, have been almost in vain. His correspondence with Governor Letcher, Orlando Brown, and A. T. Burnley, I have been fortunate enough to secure. He considered Governor Letcher the "prince of correspondents," and I have thought it best to publish many of his letters, as they give, in a familiar form, the views of a man of great discernment and inimitable humor. This correspondence alone is in fact almost a political history of Kentucky during the time which it embraces.

These volumes contain a statement of Mr. Crittenden's views and position on all the important questions before Congress from 1819 to 1863, and extracts from many of his speeches. This seemed to me to be the only mode of doing him justice, and placing his opinions as a statesman beyond the reach of controversy.



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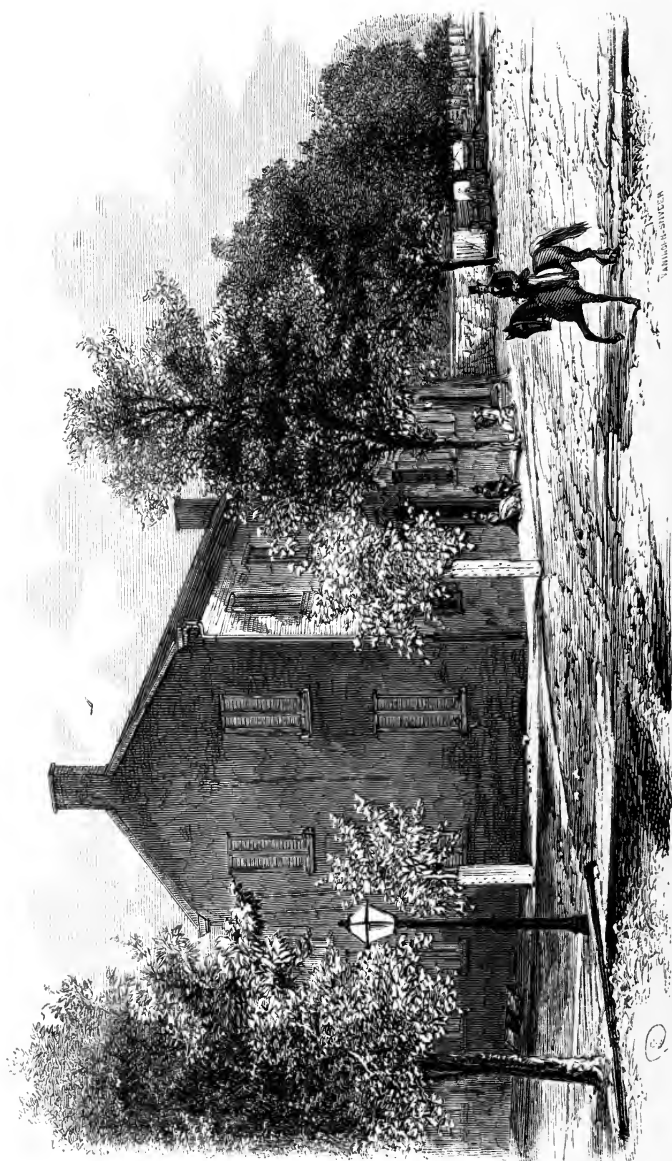
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MR. CRITTENDEN'S OLD HOME IN FRANKFORT.

# LIFE

OF

## JOHN J. CRITTENDEN.

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### CHAPTER I.

1787-1811.

Birth — Parentage — Education — Study of the Law — Admission to the Bar — Appointed Attorney-General of the Territory of Illinois by Ninian Edwards — Appointed Aide-de-Camp by General Shelby, in 1813, for the Campaign into Canada — Letters from Chancellor George M. Bibb, General Samuel Hopkins, General Shelby — Anecdote of his Legal Practice in Logan City.

**J**OHN JORDAN CRITTENDEN was born in Woodford County, Kentucky, on the 10th of September, 1787, and died at Frankfort, on the 26th of July, 1863. His father, John Crittenden, who held the rank of major during the Revolutionary War, was a farmer of moderate means. He was killed by the fall of a tree, and left a family of four sons and three daughters. His ancestry on the father's side were Welsh, and his mother was a descendant of French Huguenots.

Mr. Crittenden was sent from home to school in 1803-4, in Jessamine County, Kentucky. J. J. Marshall, T. A. Marshall, J. Cabell Breckenridge, Hubbard Taylor, Francis P. Blair, etc. were among his schoolmates. Every one of these men became distinguished in after-life. I think this could have been no accidental coincidence; their teacher must have had much to do with the rich development of character and intellect which made of these boys both great and good men: his name should be known and his memory honored. One of these gentlemen told me that Mr. Crittenden's delight in the study of the Latin language, and his facility in mastering it, was a subject of surprise and comment among his companions, and they believed that his own natural powers of eloquence were greatly aided by his study of Cicero's works.

Mr. Crittenden's cotemporaries in his own State were most remarkable men; it was indeed a proud honor to be distinguished among such brilliant competitors. The names of Jesse Bledsoe, Robert and Charles Wickliffe, John Pope, John Rowan, John Boyle, Ben Hardin, Richard Menifee, John Adair, William T. Barry, Robert Letcher, Governor Metcalf, F. Grundy, and Joseph H. Davis will live in history.

These men were educated in the wilds of Kentucky,—“the dark and bloody ground.” There was then but little social intercourse, even between the neighboring States, books and schools were scarce,—in fact, it was not possible to obtain the accessories and advantages now considered indispensable to a finished education; and yet as lawyers, as politicians, as orators, they were unsurpassed. I have heard it stated that the Kentucky bar was at that time superior to the bar of any other State. This was, perhaps, attributable to the fact that every acre of ground in the State was covered over by conflicting law-claims. In social life, these men were full of originality of wit and humor, and although differing widely on legal and State questions, each one of them was the personal friend of Mr. Crittenden. He was a man of strong and ardent feelings, but his opponents were invariably met by him with a marked courtesy.

Mr. Crittenden commenced the study of the law under the judicious and kind counsel of Judge G. M. Bibb,—in fact, he was a member of Judge Bibb's family, residing at this time near Lexington, Kentucky. He completed his law studies at the ancient college of William and Mary, in Virginia, and commenced the practice of law in 1807 in his native county of Woodford, Kentucky. He did not continue there many years, however, but removed to Russellville, in Logan County, this location seeming to offer more inducements to promising and enterprising young men than (what was then considered) the old settled part of the State.

Soon, by his attention to business, his eloquence and ability, he obtained a good and lucrative practice, and inspired the entire community with confidence in his sincerity and honesty of purpose, and whenever he chose to be a candidate for any office in his native State, he was elected without diffi-



culty. In 1809 he was appointed attorney-general of the Territory of Illinois, by Ninian Edwards, then governor of the Territory, and in 1810 he received a commission as aide-de-camp from Governor Edwards.

In 1811-12, Mr. Crittenden was elected to the Kentucky legislature, and during an intermission between his public duties and the courts he dashed over to Illinois and acted as volunteer aide to General Hopkins, in an expedition against the Indians. The same year he was appointed aide-de-camp, by Governor Charles Scott, in the first division of the militia of Kentucky.

In 1813 he was selected by Governor Shelby as an "aide-de-camp," and associated with Adair and Barry in the campaign into Canada. He took part in the battle of the Thames, where, under Generals Harrison and Shelby, the British under General Proctor were captured, the Indian force defeated and dispersed, and the Northwest Territory, which had been lost by Hull's surrender of Detroit, was recovered. His conduct in the campaign was favorably noticed in General Harrison's report, who long afterwards manifested his regard and confidence in Mr. Crittenden by appointing him attorney-general in 1841, this being the only cabinet appointment Mr. C. was ever willing to accept.

(Hon. George M. Bibb to John J. Crittenden.)

SENATE CHAMBER, April 16, 1812.

DEAR JOHN,—We have been waiting for a respectable force to be embodied. The Kentuckians are impatient, Congress firm; their ultimate acts will not disappoint the expectations of a brave people, determined to be free and independent. The truth is, the Secretary of the War Department is too imbecile; he has neither the judgment to concert, the firmness to preserve, nor the vigor to execute any plans of military operations; his want of arrangement and firmness is now so apparent, that he cannot longer remain at the head of the War Department. The President and majority in Congress have already suffered much by having such a man in that position. He must be dismissed by the President, or an inquiry of some kind, touching the conduct of the department, will be introduced. With a proper minister of war we might now have been prepared for war. If Eustis should be removed, we could soon be ready. Expecting that another man will be called to direct our military arrangements, I hope that a declaration of war will be made before the

expiration of the period for which an embargo has been laid. I obtained a commission of first lieutenant for Thomas Crittenden; have been informed that he will not accept. How is Butler coming on in his electioneering campaign? I long to see him among the *natives*, "courting the sovereigns." Are his friends active? He must be elected. We want no wavering, time-serving, insincere politicians here; we have but too many already.

Yours truly,

GEORGE M. BIBB.

(General Sam Hopkins to Mr. Crittenden.)

FRANKFORT, August 24, 1812.

DEAR JOHN,—I arrived here, agreeably to the orders of his excellency the governor, to-day, by an express from Detroit. Certain it is Hull has retrograded, and is now in Detroit, surrounded by the British. He has twice attacked their post at Brownstown: the second attack, in which the gallant Lieutenant-Colonel Miller, of the 4th United States Regiment, commanded, was successful, and the enemy beaten, though the post was not taken. The Ohio cavalry refused to charge; their provisions nearly expended, and no supplies can arrive till Brownstown is taken.

Hull's situation is precarious; the troops from Kentucky are on their way to relieve them,—say upwards of 2200. Michilamackinaw is taken, and I fear Chicago has met the same fate; in fine, everything in that quarter is gloomy. To-morrow a council, consisting of Messrs. Clay, Johnson, Governors Scott, Shelby, Harrison, and myself, are to meet and consult upon the best means of defending the country.

The Indians are not friends. This reverse will no doubt settle them hostile. Ten other articles could be recounted I hate—I *can't* be the author of anything worse, yet I fear I have worse to tell you the next opportunity.

Yours truly,

SAM HOPKINS.

J. J. CRITTENDEN.

FRANKFORT, August 20, 1813.

DEAR SIR,—Your favor of the fifteenth has been duly received. I had been casting my mind about, for a day or two past, for my second aide-de-camp. Among others, you had passed through my mind, but I feared that the distance between us and the short time I had to make my arrangements, would not afford me an opportunity to address you on this subject. Having, however, received your letter, expressing your willingness and desire to be one of my family on the present campaign, I embrace the earliest opportunity to assure you that you shall

be my second aide-de-camp. General John Adair is already appointed the first.

I shall, therefore, look out for no other gentleman to fill that station, and beg you will be so good as to acknowledge the receipt of this letter, and apprise me of your determination by the returning mail. I shall forward a duplicate of this letter to Bowling Green, to guard against possible disappointment should you have left that neighborhood.

I have the honor to be, most respectfully,

Your obedient servant,

ISAAC SHELBY.

CAMP AT LIMESTONE, November 2, 1813.

Major J. J. Crittenden having acted as my second aide-de-camp on the late expedition into Canada, I cannot, in justice to his merits or my own feelings, take leave of him without expressing my warmest approbation of his whole conduct during the campaign, and the great obligations I feel for the attachment shown to my person, and the zeal and promptitude with which he always executed my orders, particularly so in the battle of the fifth of October last, on the river French.

Given under my hand,

ISAAC SHELBY.

A number of young men in Russellville, Kentucky, raised and equipped a volunteer artillery company, in 1816, of which Mr. Crittenden was selected captain; he was commissioned as captain by Governor Shelby, and attached to the 23d Regiment of militia on the 18th of May, 1816. This company continued its organization under successive captains until the late war. Many years after Mr. Crittenden removed to Frankfort, he visited Tennessee, and returned home by the way of Russellville. The morning he was to start home, this old company paraded before the door and informed him that they intended to escort him some distance, with banners flying and drums beating. Mr. Crittenden, who was a modest man and always shrank from anything like exhibition or display, was, at first, very reluctant to be made so conspicuous; he soon recovered himself, however, and, after this flattering and touching attention, he parted with his old comrades of the company with heartfelt thanks. Only a day or two before his death, one of the members of this old Logan County command was seated by his bedside, when suddenly his mind re-

verted to those far-off times, and he asked about the company and the name of some member whom he had partially forgotten.

There are, perhaps, people now living in Logan County, Kentucky, who remember Judge Broadnax. He was a stately, high-toned Virginia gentleman, who dressed in shorts, silk stockings, and top-boots; he had an exalted sense of the dignity of the court, and a great contempt for meanness, rascality, and all low rowdyism. Mr. Crittenden used to describe, in his most inimitable manner, a scene which took place in the courtroom, in Logan, where Judge Broadnax presided. A man had been indicted for biting off another man's ear, in a street brawl. This was a penitentiary offense, and Mr. Crittenden was engaged to defend the prisoner.

Judge Broadnax was a warm friend and admirer of Mr. Crittenden, but he railed at him fiercely for taking fees of such *low rascals*. The judge was, at heart, an aristocrat.

In this case, after great difficulty and delay, eleven jurymen had been obtained. Many respectable-looking men had been summoned, and rejected by the counsel for the prisoner, and both the judge and sheriff were much exasperated. At last an ill-looking fellow, with a tattered straw hat on his head, half the brim being torn off, a piece of his nose gone, and his face bearing many other evidences of drunken brawls, was brought in. After looking at him a moment and asking him a few questions, Mr. Crittenden said, "Well, judge, rather than be the cause of any *more delay*, I'll take this man."

The judge, who had been looking on angrily, could no longer control himself. He sprang to his feet, exclaiming, "I knew it; yes, I knew it!—the moment I laid my eyes on the fellow I knew you would accept him." Then, taking a contemptuous survey of the jury, he exclaimed, aloud, "Did any living man ever see such a jury before?"

Mr. Crittenden quietly replied, "Why, your Honor, I pronounce this a most respectable jury."

After that speech of the judge, Mr. Crittenden said his mind was at ease about his client; he knew he would be acquitted, and he was.

## CHAPTER II.

1811-1814.

Elected to the House of Representatives of Kentucky from Logan County—Made Speaker of the House—Marriage—Children—Letter from Mr. Clay on the Death of his First Wife—Woodford County Courts—Criminal Trials—Canvassing in Kentucky—Preston Blair.

WHEN Mr. Crittenden was first elected to the House of Representatives from Logan County, Kentucky, he took his wife to her brother-in-law's, Mr. Sam. Wallace, in Woodford, Kentucky. From this point he rode to Frankfort on horseback, and was joined on the way by an old gentleman. They were utter strangers, but conversed pleasantly together, and when they reached Frankfort they separated, not even knowing each other's names.

The House met the next day, and, after some other nominations had been made, the same old gentleman, Mr. Paine, of Fayette, nominated J. J. Crittenden, of Logan County, for Speaker of the House. Mr. Crittenden rose and protested against the nomination in a modest but impressive speech, and positively declined the honor. Mr. Paine replied that the speech itself removed all doubt as to the expediency of electing Mr. Crittenden. He persisted in his nomination, and Mr. Crittenden was unanimously chosen Speaker.

In 1811, Mr. Crittenden was married to Sallie O. Lee, daughter of Major John Lee, of Woodford County. Major Lee was a descendant of Hancock Lee, the elder branch of the same family from which General R. E. Lee descended.

Mrs. Crittenden died in 1824, leaving three sons and four daughters,—George, Thomas, and Robert, Ann Mary, Cornelia, Eugenia, and Maria. The eldest son was a graduate of West Point: he became a lieutenant-colonel in the Federal army,

resigned during the late war, and served for a time as major-general in the Confederate army.

Thomas L. Crittenden was aid to General Taylor in the battle of Buena Vista. He was afterwards sent by General Taylor as consul to Liverpool. He entered the army during the late war, and was promoted to the rank of major-general, resigned before the close of the war; but soon after its close, he was again commissioned, with the rank of colonel. Eugenia Crittenden died unmarried, at the age of twenty-one. Ann Mary, the eldest daughter, married Chapman Coleman, of Kentucky, and has been a widow for twenty years. Cornelia married Rev. John C. Young, President of Danville College, Kentucky, and is now a widow. Maria Crittenden married Dr. Edward Watson, of Frankfort, Kentucky, and is also a widow. Robert Henry, the youngest son, has always been engaged in commercial pursuits. On the occasion of Mrs. Crittenden's death, Mr. Crittenden received the following letter from Mr. Clay:

ASHLAND, 17th September, 1824.

MY DEAR SIR,—Although I know how utterly unavailing are the condolences of friends, however sincere, and that nothing but time can assuage the grief which is excited by a loss so irreparable and afflicting as that which you have recently sustained, I cannot deny to myself the melancholy satisfaction of expressing to you my deepest sympathy for your heavy bereavement.

In the lamented death of Mrs. Crittenden, I do not merely recognize the loss of the wife of a friend, but that of a friend herself. I knew her, I believe, before you did, and although her residence in another and distant part of the State prevented my seeing her for many years, I never ceased to feel the respect and esteem for her which was inspired by my early acquaintance. Although thus early deprived of a mother's care and a mother's tenderness, it must be some consolation to you to know that your children will find their mother's place supplied, as far as that is possible, in the affections and attentions of Mrs. Wilkinson and Mrs. Price.

One would be almost inclined to think that our State in these last years had lost divine favor; its afflictions by death have been numerous and extreme. I have myself had a slight fever.

With best wishes, I remain, faithfully, your friend,

H. CLAY.

On the 15th of November, 1826, Mr. Crittenden married Mrs. Maria K. Todd, daughter of Judge Harry Innes, of Franklin County, Kentucky; she died in 1851, leaving two sons,—John J. Crittenden and Eugene. John died at the age of twenty-two, and Eugene is now a major in the Federal army.

On the 27th of February, 1853, Mr. Crittenden married Mrs. Elizabeth Ashley, who is now residing in New York.

Thinking of Mr. Crittenden's early life and its surroundings, I recall many curious customs in Kentucky which have, no doubt, passed away. At that time ladies were in the habit of attending criminal trials, and I have gone with them to the adjoining counties for this purpose. Mr. Crittenden was born in Woodford County, about twelve miles from Frankfort, and the admiration and love cherished for him there was unsurpassed. Every man in that county felt that he had a sort of right in Mr. Crittenden, and criminals from other counties were always trying first to engage him to defend them, and then to have the trial transferred to Woodford, well knowing that a jury could scarcely be found in the county that could resist *his* arguments and eloquence. Indeed, there were many old men there who declared they could not conscientiously serve on the jury with John J. Crittenden as counsel for the prisoner; they were so completely fascinated by his eye and voice that justice and the law were lost sight of. I remember something of a famous trial for murder in Woodford which I will endeavor to relate. The name of the man who was murdered was, I think, Cole. Court-day is a great day in small inland towns in the West. All business to be done in the towns is, if possible, deferred until that day, and the plowing, planting, and reaping are stopped without remorse. The plow-horses are fastened to the long lines of fence, and the yeomanry gather in groups about the taverns and court-house. Any important trial brought together the prominent speakers, and the chance of announcing and spreading one's opinions, by a lusty fight or two, was an ever-new delight.

Mr. Cole and a friend named Gillespie, of the like calibre and tastes, rode into the little town of Versailles on court-day. Everything was propitious: they drank, played cards, and were

merry. Late in the day they rode most amicably, side by side, out of Versailles, going home together. Unfortunately they had both *cards* and whisky in their pockets, and of the latter they partook freely. They rode slowly, and were benighted. Passing a dismantled log cabin by the wayside, they determined to stop and rest, tied their horses, struck a light, and concluded to play "High, low, jack, and the game," and take a little grog from time to time, by way of refreshment, till the morning.

As might have been expected, they grew quarrelsome and abusive. It is a short step from words to blows. Gillespie struck at his friend Cole with a knife, and killed him instantly. The sight of the blood and of the dead man, his friend from boyhood, sobered him fully, and his sorrow and remorse were indescribable. No thought of concealment of his crime or flight from justice was in his heart; he sprang on his horse, and galloped to the nearest house, told his story with groans, lamentations, and tears, and gave himself up to answer for his deed of blood and violence. There was, of course, no witness, the testimony rested upon his simple statement. Mr. Crittenden was employed to defend him, and he was acquitted.

Mr. Crittenden's speech was pronounced a masterpiece of oratory. Almost the entire assembly was moved to sobs and tears; the attempt was made to invalidate or set aside Gillespie's testimony; he acknowledged the murder, and his statement of the circumstances was the single point in his favor. Mr. Crittenden's reply to this effort on the part of the prosecutor is all I can recall of his speech. In fact, I remember but the sentiment he expressed; the voice, the eloquent lip, the living eye, it is impossible to portray.

"Can any man in his senses, with a throbbing heart in his bosom, doubt this man's testimony? No, gentlemen of the jury, the truth gushed from his burdened heart in that hour of agony as pure as the water from the rock when smitten by the hand of the prophet."

Mr. Crittenden seemed inspired, and his aspect and words carried conviction with them, not only to the sympathetic audience, but to the stern jury.

I think it was of this man Gillespie that I once heard



Mr. Crittenden say, "Yes, I begged that man's life of the jury."

On one occasion, when Mr. Crittenden was engaged in defending a man who had committed a capital offense, he closed an elaborate and powerful argument by the following beautiful allegory: "When God in his eternal counsel conceived the thought of man's creation, He called to Him the three ministers who wait constantly upon the throne,—*Justice, Truth, and Mercy*,—and thus addressed them: 'Shall I create man?' 'O God, make him not,' said Justice, 'for he will trample upon thy laws.' Truth said, 'Create him not, O God, for he will pollute thy sanctuary.' But Mercy, falling upon her knees, and looking up through her tears, exclaimed, 'O God, create him; I will watch over him in all the dark paths which he may be forced to tread.' So God created man, and said to him, 'O Man, thou art the child of Mercy: go and deal mercifully with thy brother.'"

When Mr. Crittenden closed, the jury were in tears, and, against evidence and their own convictions, brought in a verdict of "Not guilty."

When I was about sixteen, I went with two or three other young girls to the house of my aunt, Mrs. Reiley, in Versailles, Woodford County, to attend a trial for murder.

A young man from one of the Southern States, a student of Transylvania College, in Lexington, Kentucky, in a sudden brawl, killed one of his fellow-students. There was no charge of previous malice; but the circumstances were aggravated, and the feeling of the community seemed against the young Southerner. So great was the local excitement about Lexington, that a change of venue was demanded and granted. The trial was removed to Woodford, and Mr. Crittenden was counsel for the prisoner.

The youth of the parties excited the interest of all the young people in that part of the State, and many prominent lawyers, not employed in the suit, made a point of being present to hear the arguments.

I remember now, with a glow of satisfaction, the bright array of native talent which I saw congregated on that occasion. General Flournoy, an eccentric, but clever and kindly lawyer,

belonging to that part of the State, had volunteered to assist the prosecution. I can never forget his appearance, and the effect he produced on the court and audience, when he entered the room to make his speech. He was at that time a middle-aged man, tall, thin, and angular; he had many personal peculiarities; among other eccentricities, he always dressed in green, and the proverb "in vino veritas," he had changed to "in vino mors;" this motto he wore about him always in some form or other. He was an old bachelor, with the peculiarities of that rigid class stamped upon him unmistakably in every line and lineament; he was ambitious to be a *beau*, but the girls laughed at him and ran away from him. He was a man of truth, integrity, and intelligence, but, nevertheless, he had a hard time of it with the youth of his day.

The general wanted to be very confidential, even when he had absolutely nothing to say. When he desired to be especially kind and flattering in his attentions, he would fix his eye steadily and bear down upon you from a distant point; then, bowing over you, he would seem to whisper something in your ear; at times you would hear a confused and almost inaudible sentence; at others something of about this importance, "*Miss Crittenden, I see you.*" These little confidences of his were a source of unending amusement to the young ladies.

General Flournoy entered the court-room on the occasion referred to, dressed, of course, in green, and followed by a stalwart negro man, bearing a market-basket; not the *pitiful thing* now dignified by the name of market-basket, but a basket in which Falstaff might have been concealed.

This was filled with ponderous law-books intended for reference during his argument. This spectacle produced a variety of emotions in the minds of the spectators. There was, naturally, some shrinking terror at the thought of the ordeal before them on a hot summer day; but the grave dignity of the gentleman in green, the grinning, panting negro, who seemed to appreciate the situation, the solemnity with which the general removed the books from the basket and arranged upon a large table before him as many as the table would hold, was too much for the crowd, and there was a burst of laughter, in which, I think, his Honor joined.

The general was not a graceful orator: his arms were too long; he threw his head and neck forward, and described a half-circle first with his right arm, and then with his left, in regular rotation; he made a long speech, read many voluminous extracts from the *law library* before him, and was often so violent as to be unintelligible. He had not learned the lesson, "that in the very torrent, tempest, and whirlwind of your passion you should acquire and beget a temperance that might give it smoothness."

When General Flournoy concluded, Mr. Crittenden rose calmly, and passed his hand several times over his eyelids, as one half asleep is accustomed to do. "Gentlemen of the jury, I have either slept and dreamed, or I have had a vivid waking dream, which I can scarcely dispel. I thought I had gone out on a whaling vessel, the winds and waves were high, and the mighty waters were roaring around me. Suddenly the sailors cried out, 'All hands on deck, the whale is upon us, she blows!' I looked, and there indeed was the monster of the deep; its tail was flying through the air and the surging waves, till we were enveloped in mist. I am stunned, confused, and your Honor must grant me a few moments to recover my self-possession."

Mr. Crittenden then commenced his argument. I remember only its close. The counsel for the prosecution had made a strong point of demanding an example, spoke eloquently of the lawlessness of the times, and the necessity of maintaining the majesty of the law. On this point Mr. Crittenden said, "The counsel against the prisoner demands example. Yes, I agree with my stern and learned friend, we should make examples from time to time, even among the young and thoughtless, to check the heat of youthful blood and the violence of ungoverned passion; but, my countrymen, let us take that example from among our own people, and not seize upon the youthful stranger, who came confidingly among us, to profit by the advantages of our literary institutions, to learn to be a man in the best sense, honest and capable and cultivated. We have, I am grieved to say, frequent opportunities to make example of our own sons, in our own borders. Let us do this, then, when the occasion offers, but let us send this broken-hearted,

trembling mother [pointing to the prisoner's mother, who was present], and her dear, loved son, back to their home in peace. He has been overtaken in a great crime, but an acquittal, in consideration of his youth and other extenuating circumstances, will be honorable to our great State, and do no damage to the laws."

The jury retired for a few moments, and the prisoner was acquitted.

General Flournoy left the court-room enraged against Mr. Crittenden; he was standing on the street near a pump (pumps were the great rallying-points on court-days), denouncing Mr. Crittenden to a group of amused listeners, when Mr. C., approaching silently, struck Flournoy on the shoulder, and said, "How are you, old whale? I know you are dry, after all that blowing; come and take a drink."

Mr. Crittenden's voice and manner were like the sunshine after the early and latter rain. Flournoy grasped his hand forgivingly, and they went off arm in arm to settle their differences over the punch-bowl.

Mr. Crittenden was so often electioneering in Franklin County for a seat in the Kentucky legislature that he knew personally every man in the county. No one ever had warmer friends; indeed, he was idolized by the older men of his party. Among these was Bob Collins, a sturdy yeoman of powerful frame, who had always a shoulder for the political wheel when it required putting in motion. Bob was a man of good common sense, clear judgment, and healthy, jovial nature, and he almost adored Mr. Crittenden. In some question which arose in Kentucky, either as to the old and new court, or Jackson and Adams, Bob's personal attachment to Mr. Crittenden and his political tendencies were unfortunately at variance. He was a man of considerable influence in his neighborhood, and as it was well known that he would carry a number of votes along with him, Mr. F. P. Blair conceived what he himself calls the *mad idea* of winning him completely away from Mr. Crittenden by a little well-applied flattery and *political dealing*. He accordingly visited Bob Collins in his humble home, and proposed a pleasant little social walk and chat; he adroitly introduced small insinuations against Mr. Crittenden, said he was

a man greatly overestimated, not the man Collins took him for, etc. At this point, when Mr. Blair thought he had made considerable headway, they passed a large pond. "Stop there, Blair!" cried Bob Collins, angrily. "Look at that! that's a frog-pond and full of frogs, and the *varmints* often make such a hell of a fuss the whole neighborhood is disturbed. Every frog thinks himself the big man of the lot, and each one tries to screech louder than the others; but, Lord bless you, they take no notice of each other. You see, each one knows in his heart that the other is *but a frog*, and scorns him. Presently a little boy from the village comes along and thinks to himself, Ha! my fine fellow, I'll put a stop to this. He approaches the edge of the pond, and hollows out Wh-i-s-t! wh-i-s-t! and every dirty little fellow drops down to the bottom of the pond, disappears as it were from the face of the earth, and prudently holds his tongue: they know the little boy has *stones in his pocket*. Well, just so it is with you and your set. When you get together in a safe place, you make a mighty fuss and abuse John J. Crittenden; but let the fine fellow come along, and say Wh-i-s-t! wh-i-s-t! and your heads drop down, and you slink away to a safe place. Hurrah for John J. Crittenden, say I!"

I have heard another anecdote connected with Mr. Crittenden and Bob Collins, which is interesting, as going to show the characteristics of the people of Kentucky in that day, and Mr. Crittenden's influence over them. Bob professed to be an enthusiastic Baptist, although not a member of any church. There was a Baptist church in his neighborhood, over which he ruled despotically, founding his claim to *dictate* upon the fact that many of his slaves were members of this church. He used to consult with Mr. Crittenden about the interests of *his church*, giving him an account of baptisms, etc. Bob took great interest in these proceedings, and whenever one of his own negroes was to be baptized, he superintended the whole affair; nothing would have induced him to allow one of them to go down into the water supported by the preacher alone. Bob took the candidate for baptism by one arm and the preacher took the other, and as they descended into the river, old Father N. exhorted at every step, and Bob cried out, "Amen!" most devoutly. On one occasion Bob came into town to give Mr.

Crittenden an account of a misfortune that had befallen him. A large, stalwart negro man of his had been baptized. Bob was filled with zeal on that occasion: to *own another* member of the church, gave him, he thought, a new right to control the congregation. The convert was valuable, and Bob was so anxious about his safety that he forgot to lay aside his watch, which was almost ruined. As they came up out of the water, the preacher was exhorting and commending the new brother as a model of piety and zeal to the assembled crowd. Bob declared he was completely carried away by the discourse, and exclaimed, "Yes, yes! a model! a model! I wish I had a thousand such." He professed to be hurt on perceiving that this was not regarded as altogether a pious ejaculation. The church members got into some difficulty among themselves, which he attempted to settle in a very summary manner; they resisted, and he entered the church by force, in the midst of the proceedings, broke up the assembly, scattered them ignominiously, and barred up the house. For this act of violence they brought suit against him, much to his righteous indignation. He employed Mr. Crittenden to defend him. The suit was talked about far and wide, and was the occasion of many merry jests. A great crowd assembled at the trial. Mr. Crittenden made one of his best speeches, and placed the character and conduct of his client in the most favorable light. In conclusion, he stated that he had not been able to do his friend justice, but had employed an assistant in the defense, whom he would now call up to conclude the argument. To the amazement of every one, Mr. Crittenden now summoned Bob Collins to speak for himself. The call was wholly unexpected, but he came forward instantly,—in fact, he was as fully convinced that he belonged to Mr. Crittenden as that the church belonged to him. The speech was, as you may suppose, original, and brought down the house. Even the judge and jury gave way to the merry spirit of the hour. At the close of a short speech, Bob said, "If their Honors would only call upon his friend John to do '*the finishing!*' before he had spoken five minutes they would think they heard a pint of bullets rattling over a shingle roof." I do not remember how this suit was decided, but expect Bob carried the day.

Mr. Crittenden and F. Preston Blair were playmates, schoolmates, and personal friends through life. In early manhood they were also united in politics, but when the question arose in Kentucky between the pretensions of Jackson and Adams for the presidency, they differed, and finally separated. Political feeling ran high in old Kentucky (in those days men, women, and children were politicians), and as parties were nearly equally divided, such a condition of things always led to great effort and excitement. Mr. Blair and Mr. Crittenden were opposed to each other, each making speeches in furtherance of his views in Frankfort and the vicinity. Mr. Blair tells this anecdote in connection with that period :

A few days before the election was to take place, an appointment was made for a political meeting in the neighborhood. Mr. Blair reached the ground first, and made a violent speech, in which he brought many charges against Mr. Crittenden's political course, and abused him personally. He was greatly excited. Ashamed of his course towards his old friend, and afraid of the lashing he knew was in store for him, he had, during his tirade, been looking round anxiously for his opponent, and found his flashing eye fixed steadily upon him. He closed his speech, and a rather cowardly impulse took possession of him to steal off and escape the scourging, the mere anticipation of which weighed heavily upon him. He reached the outskirts of the crowd, when, hearing *that voice* which always thrilled and, in a measure, controlled him, he turned back almost involuntarily and gave himself up to justice. As he found he was not personally alluded to, he drew nearer and nearer, with some feeling of security. Mr. Crittenden took up the charges with which he had been assailed one by one and refuted them ; managed to cast a furtive glance from time to time upon his adversary, but did not call his name or allude to him. At first, this rather pleased Blair ; then, as he became convinced that "John" meant to pass him by silently, he was humiliated and ashamed.

A few days afterwards Preston Blair was seated in one of the clerks' offices in Frankfort, when Mr. Crittenden entered ; he advanced to Mr. Blair with extended hand, and a kindly greeting : "Well, Preston, how are you?" Mr. Blair, greatly em-

barrassed, stammered out a few words of salutation, and then, feeling that something more must be said to break the silence, remarked, "You had a son born in your house yesterday, Crittenden,—what do you intend to call him?" A cloud of mingled feelings passed over Mr. Crittenden's speaking countenance. After a moment's pause, he said, "I have been thinking, Preston, of calling him by that name which you have been trying of late to dishonor."

"That," with the kind and sorrowful glance which accompanied it, "went straight to my heart," said Mr. Blair. "The fountain of my speech was dried up, and this was the only reproach Mr. Crittenden ever made me."



## CHAPTER III.

1814-1820.

Letters—Elected to the Senate in 1817—His Maiden Speech—Extract from Speech on Sedition Laws—Settling Controversies between States—Sale of Public Lands—Resignation of Seat in Senate—House in Frankfort—Letters.

(General Isaac Shelby to J. J. Crittenden.)

April 8, 1814.

MY DEAR SIR,—Your favor of the 18th came to hand when I was absent from home, and since my return a letter from the Secretary of War has been received, informing me that the appointment of officers has been made for the corps of riflemen to be raised under the late act of Congress. This letter was an answer to one of the last which I had written to him, in favor of some of my friends who wanted to enter the service, and assures me that Kentucky has had her full share in those appointments. I have, therefore, deemed it unnecessary to trouble the Secretary in favor of Captain H. R. Lewis, whom I well recollect, and of whom I formed a good opinion upon the late campaign.

I am very apprehensive that we shall have peace by the mission to Gottenburg, if the affairs of Europe do not prevent it. Perhaps it may be well for us if we do obtain peace. The war is a ruinous one. We are, literally, "a house divided against itself." And, although we may not fall, the war, if carried on, will finally exhaust the best blood and interest of the nation; none others will embark in it unless with a view to *mar* its success. This is lamentable, *but true!* and unless we can cure the evil at home, defeat and disaster will attend the efforts of our best patriots. I may in confidence confess to you, that I lament over my country,—that she has in her very bosom a faction as relentless as the fire that is unquenchable,—capable of thwarting her best interests, and whose poisonous breath is extending to every corner of the Union. There is but one way to cure the evil, and that is an awful and desperate one, and in the choice of evils we had better take the least. Were we unanimous, I should feel it less humiliating to be conquered, as I verily believe that the administration will be driven to

peace, *on any terms*, by the opposition to the war. We have no news from our Eastern armies, nor do we know that the fleet at Ontario has left its winter-quarters.

I wish Niagara was near to Kentucky, it should not remain long in the hands of those blood-hounds! to be given up for *Malden*, as no doubt it will *on a general peace*. Will you come to Frankfort this winter? If the war continues, the country will want her best friends in the legislature, and I shall be glad to see you.

The Eastern mail has this moment arrived, and brings information that the President unquestionably recommended the repeal of the embargo and non-importation acts. This looks like giving way to the clamors for commerce. What is to become of our new manufactories and young merinoes? It will afford me great pleasure to hear of your happiness and prosperity.

Your obedient servant,

ISAAC SHELBY.

Hon. J. J. CRITTENDEN.

(George M. Bibb to John J. Crittenden.)

WASHINGTON CITY, April 24, 1814.

DEAR JOHN,—The court-martial sentenced Hull to be *cashiered and shot*, but recommended him to the mercy of the President, who, I understand, intends to remit the sentence of death. What weakness! If cowardice such as Hull's, which surrendered a fortress, an army, a territory without firing a gun,—which surrender was followed by such loss of lives and treasure,—is not punished with death, but pardoned by the commander-in-chief, what can we expect? No military officer hereafter can be punished but by loss of commission for cowardice. A negotiation is going on between an agent on our part and General Prevost, for an armistice. Prevost is willing to an armistice on land; our government wishes it also by sea. The negotiation may, perhaps, terminate in an armistice on the land, the lakes, and on our seacoast, leaving our coast to be blockaded, and the war upon the ocean to progress,—that is to say, that no expedition on land, nor any enterprise against towns or forts, shall be attempted,—such an armistice to be continued for a limited time, or until our negotiations at Gottenburg are broken off, or until either party shall give reasonable notice that it shall cease. I speak of the probable issue from what our government would agree to, and what it may well be supposed the British government would not agree to. The maritime superiority of Great Britain she will not yield by an armistice.

Your friend, as ever,

GEORGE M. BIBB.

I found among Mr. Crittenden's papers a letter from Mr. Blair, from which I make the following extract :

WASHINGTON CITY, 1831.

DEAR CRITTENDEN,—Eliza sends her love; she has ordered the *Globe* to be sent you, that you may have the advantage of her hemisphere, which she promises to make interesting. The black side—that is, my side of the paper—you need not look at. I presume you believe all you see in the prints of Old Hickory; if you do, you know nothing of him: he is as full of energy as he was at New Orleans, and is to his cabinet here what he was to his aids there. He is in fine health, and nothing daunted at all the plots, conspiracies, and intrigues of which some hope he is to be the victim. In a recent conversation with me about the Seminole affair, he spoke of you as “his friend Crittenden.” I suppose he refers to the past. Give my wife's most affectionate remembrances to Mrs. Crittenden, and if you can make my offering of good wishes and sincere respects acceptable to her, let me hope that you will tender them. I shall be glad to hear of the prosperity of the young gentleman who received last year a name that you seemed to think “*I was trying to make one of little credit to him.*” God knows you did me injustice in that at least. If ever I had a kind heart, it is for you; but, as Tom Church says, “although I love you, I don't love your ways.”

Yours, in everything, politics excepted,

F. P. BLAIR.

Tom Church was a Franklin County man, one of the Bob Collins order, and a man of influence in his neighborhood; he was a personal friend of Blair and Crittenden, and when they separated politically, they were both anxious to secure him. Mr. Crittenden heard that he was wavering, and walked out to see him, and “*straighten him up.*” At parting, Church said to him, “Well, John, I think I must go for Preston. I love you, John, but I don't love your ways.” This phrase became from that time onward a sort of conciliatory “by-word with the old friends.”

Many barbecues (called in some parts of Kentucky, bergoos) were given in the State, at that time, for electioneering purposes. Men, women, and children assembled for miles around the place of meeting to dance and sing, speak and listen to speaking, eat, drink, and be merry. From the time I was twelve years old, I used to go and dance on the hillside for hours.

A long arbor was generally erected, covered with green branches from the trees; under this rough planks were set up for a table, and upon them the baskets of provisions were emptied, and the "good things" spread out before us.

Some of these occasions dwell most pleasantly in my memory. The dogwood and the redbud, quivering in the sunshine, formed a charming roof over our heads, the merry groups scattered around under the trees, the speakers' stand, the laughter, the applause, the songs, the voices of children,—even babies, too young to be left at home, joined in the chorus,—all this is indelibly impressed upon my heart.

I remember an amusing little incident connected with a barbecue given near Frankfort. Far and wide the people had come together. In those days there were no operas, no concerts, no Grande Duchesses, no Belle Hélènes. Barbecues were the order and the dissipation of the day. A young woman was thought to have more than mortal strength if she resisted successfully the temptation of a barbecue in her neighborhood. Young mothers with young babies were the most at a loss *what could* be done with their children,—too young to take, too young to leave at home!

A pretty young country mother, with a baby perhaps a month old, suffered terribly with doubts and perplexities on this subject. At last, she resolved to *take the baby* and take the consequences; she knew she would have to play nurse, could not dance, and could only be a looker-on. Nevertheless, she determined to go! In the height of the entertainment, Mr. Crittenden's eye fell upon her sorrowful countenance, and he resolved to devote the time that our old Virginia reel would occupy to her amusement. He took his seat by her and tried to make himself agreeable; he soon saw, however, that she gave him but a languid attention; eye and ear were given to Yankee Doodle and the dancers. Suddenly, in the twinkling of an eye, before he had time to see his danger or to remonstrate, she sprang up, plumped the baby down in his lap, exclaiming, "Oh, Mr. Crittenden, human nature can't stand that!" Before the last words were finished, she was whirling away in the reel, to the great consternation of Mr. Crittenden, who had a mortal fear of babies, and the infinite amusement of

the bystanders. The rival candidate and his party considered this a very good joke, and used to tell it, with great gusto; but there is no doubt that Mr. Crittenden's exemplary discharge of his new duties gained him many votes.

In 1816-17 Mr. Crittenden was Speaker of the House of Representatives in Kentucky, and was elected in 1817 to the Senate of the United States.

There is an anecdote connected with his maiden speech which Governor Barbour related with great spirit. The subject was worthy of Mr. Crittenden's patriotic eloquence, being the first attempt to grant pensions to the soldiers of the Revolution, and to his memory belongs the glory of that achievement. On rising to speak, Mr. Crittenden was greatly agitated (this was a trait which marked his ablest efforts in after-life). His embarrassment became so intense that his friends apprehended a failure, and Governor Barbour, who had often been delighted by Mr. Crittenden's powers of conversation in social life, *looked* his anxieties to Mr. Clay.

Mr. Clay gazed steadily and confidently at his young friend for a moment, and then replied to Barbour by a whisper (yet loud enough to be heard throughout the senate-chamber), "Never mind, he will be all right." And soon, indeed, Mr. Crittenden's magical voice rose to the occasion, and he electrified a listening Senate with an eloquence which no first effort had ever before effected.

During this session, as chairman of a committee to whom a bill putting fugitives from labor on the same footing with fugitives from justice was referred, Mr. Crittenden reported it back with several amendments, one of which provided that the identity of the fugitive should be proved by other evidence than the claimant's.

December 8, 1817, Mr. Crittenden submitted this amendment:

*Resolved*, That all persons who were prosecuted and fined under the sedition law, approved the fourteenth day of July, 1798, entitled An Act for the Punishment of certain Crimes against the United States, ought to be reimbursed, and indemnified out of the public treasury.

Mr. Crittenden said :

I consider the sedition law unconstitutional, not only from a defect of power in Congress to pass such a law, but because its passage was expressly forbidden by the Constitution. The sense of the nation had unquestionably pronounced it unconstitutional, and that opinion being generally entertained, it ought to be solemnly confirmed by the legislature, in order that history and the records of the country may not hand it down to posterity as a precedent for similar acts of usurpation. If a reversion of the proceedings in that case was important in a public point of view, it was certainly so as it related to the individuals who became the subjects of prosecution under that act. To every citizen of the United States the Constitution guaranteed certain rights, which had been violated under this law. This guarantee entitled them to indemnity in all cases where those rights were violated; of this indemnity the courts ought not to deprive them; if they did, there was no redeeming power in the Constitution. Legal sanctions cannot vitiate constitutional provisions. The judiciary is a valuable part of the government, and ought to be highly respected, but it is not *infallible*. The Constitution is our guide, our supreme law. Blind homage can never be rendered by freemen to any power. In all cases of alleged violation of the Constitution it was for Congress to make just discrimination. When the Constitution forbids a law, it will not hesitate to interpose for the relief of those who suffer by its inflictions. The case of Matthew Lyon, now before the Senate, was a fair case for the interposition of Congress. It had a peculiar character. Lyon had a right to remuneration; this right ought not to be sacrificed to contingencies or speculative opinions. We may not do wrong that right may come of it! Justice to the individual, to the country, to the Constitution, all required this course. Let us add new defenses and guards to the Constitution on this assailable point. Let us secure it, as far as possible, from future infractions on the ground of precedent.

The Senate, on Friday, December 29, 1819, resumed the discussion of the bill prescribing the mode of settling controversies between two or more States. Mr. Crittenden said:

The same course had been pursued at the last session which was now proposed, and if this motion prevailed it must be considered as a rejection of the bill. The State of Kentucky had addressed a memorial to Congress in favor of such a measure as was proposed by this bill, and I deem it a duty to submit the reasons which occur to me in support of it. Under the Constitution, power was given to Congress to make

the provision contemplated in this bill. Why tremble at the exercise of this power? There must be authority somewhere to settle disputes between States, and where would it be so safely lodged as in the national judiciary? I believe no ground of alarm exists. The greatest and proudest States in the Union would cheerfully submit to the decisions of that tribunal every litigation between them. The States would be sued by their consent: as they had given their consent to the provision of the Constitution authorizing this law, they would not therefore complain of any violation of their sovereignty and independence. I deem it essential to the perpetuity of our Union that this power should have been given, and that it should be exercised. The objections came from those States likely to become defendants under this act, and from the great and powerful State of Virginia. This provision was meant to protect the small States against the populous and powerful. Have we come to this, that such States threaten resistance to the constitutional laws? I hope such threats will not terrify us into an abandonment of this power. I appreciate the high and honorable motives of the gentleman from Virginia, but think his apprehensions unfounded and visionary. I believe the judgment of the Supreme Court, as now limited, executes itself silently and effectually,—there was no danger of the necessity of employing military force. The States would not settle their disputes amicably among themselves, without the mediation of a disinterested tribunal. Virginia and Pennsylvania had almost come to war on a territorial difference; was this the “*suaviter in modo*” which ought to be pursued in settling boundaries? Such a dispute would not now be settled between these potent States so easily. Suppose, in this difference between Kentucky and Tennessee, Kentucky should give up her claim rather than come to open war, would it be right for the general government to see her stripped of her rights? Kentucky had no alternative but to do this or appeal to the sword. Would it be just or magnanimous to refuse to exercise this power and thus permit such wrongs to be done? Though justly proud of my State, I should not deem her disgraced by being made a defendant under this law, or by submitting to the judgment of the Supreme Court. I wish such a high tribunal could be erected to settle all disputes between nations, and oblige proud and ambitious people to submit to just and equitable terms of settlement. Should we, of one flesh and blood, quarrel among ourselves when so easy a remedy is in our power? New Jersey has had her disputes, Rhode Island has had hers, and if wrong has been done, is there any honorable gentlemen who would not wish to see wrong righted?

Mr. Crittenden made a speech on the 18th of February, 1819, in support of the bill for the sale of public lands. He said, in conclusion :

Mr. President, I acknowledge that I feel a particular partiality for this bill, independent of the reasons I have had the honor of submitting to you. I am influenced by reasons somewhat of a personal character, to desire its passage. It is the work of the honorable gentleman (Mr. Morrow) of Ohio, who is so soon to be finally separated from us : he has long been our Palinurus in everything that relates to this important subject; he has steered us safely through all its difficulties, and with him for our helmsman we have feared neither Scylla nor Charybdis. We have followed him with increasing confidence, and have never been deceived or disappointed. The bill now before you is perhaps the last and most important act of his long and useful life. If it should pass, sir, it will identify his name and his memory with this interesting subject: it will be his.

A noble monument, which, while it guides the course of future legislation, will perpetuate the memory of an honest man. Sir, if the ostracism of former times prevailed with us, I do not know the individual whose virtues would more certainly expose him to its envious jealous sentence. The illustrious Greek himself who claimed such unfortunate distinction from that ancient usage did not better deserve the epithet *Just*.

Mr. President, I do not intend to flatter the gentleman from Ohio. Flattery is falsehood. I burn no such incense at the shrine of any man. The sincere homage of the heart is not flattery. I have spoken the spontaneous feeling of my own breast. I am confident, too, that I have spoken the feeling of the Senate. But yet I ought perhaps to beg pardon of the honorable gentleman. I have much cause to fear that the gratification I have had in offering this poor tribute of my respect is more than counterbalanced by the pain it has inflicted upon him.

Mr. Crittenden resigned his seat in the Senate in 1819, and resolved to give himself up wholly to local politics and the practice of his profession. He was poor, and his family large, and he felt its claims to be paramount.

One of Mr. Crittenden's most intimate friends has written to me that this period, from 1819 to 1835, passed in the arduous duties of his profession, and in the legislature, was the most interesting, and probably the happiest, of his life.



The three following letters, two from Mr. Clay and one from James Barbour, show the regret of his cotemporaries at his resignation, and the political aspect of affairs at that time.

(Henry Clay to John J. Crittenden.)

WASHINGTON, December 14, 1819.

MY DEAR SIR,—We have just heard of your resignation, which has occasioned general regret here. On the public account, I regret it; on yours, I do not! Tell my friend Mrs. Crittenden that I congratulate her on the just triumph she has obtained over you. You will have seen the correspondence respecting the Florida treaty, and you will have read it, as I did, with mortification, for, with the *worst cause*, the Spaniards came off victorious in that correspondence. Forsyth has acquitted himself very badly; he appears to me to have been furnishing evidence at Madrid, and certainly not of the most courtly kind, to refute an insinuation I once made at Washington against him of partiality to the King of Spain. I think our eagerness to get the ratification has probably lost it. What shall we do? These people will put me in the opposition whether I will or no! I wanted to go with them respecting our Spanish affairs; but how can I join in such a foolish course? Instead of resorting to the natural expedient of taking possession of our own, they ask us to take (on the ground, too, of right) what does not belong to us! Thus, in regard to the Patriots, all the premises of the President point to the conclusion of recognizing them, and yet, strange to tell, he concludes by recommending further laws to enforce our neutrality!—in other words, further laws against the Patriots. I shall be glad to hear from you,

And remain faithfully yours,

H. CLAY.

P.S.—Tell Bibb that he and you must make out your joint instructions to me, relative to Florida, and which, as I acknowledge the right of instruction, I shall of course obey, or *disobey* under my responsibility.

(From the same to the same.)

WASHINGTON, January 29, 1820.

DEAR SIR,—I received with very great pleasure your favor of the 9th instant, and thank you for the valuable information which it contains. I think Tennessee ought to give us an equivalent beyond the Tennessee River for our land which she holds on this side; yet it is so important to have the dispute settled, as well for its own sake as in order to enable the legis-

lature to dispose of the land south of that river, that I shall not regret a determination to accept of the proposition of their commissioners, especially as if we were to obtain the equivalent, it may be questionable whether we should acquire more than the naked sovereignty. Your friendly advice is received in the same spirit of kindness which dictated it. I came here anxious to agree with the administration whenever I could, and particularly desirous to concur with them in regard to Spanish affairs. This wish sprang from that retirement on which I had determined and to which I still look forward; but how is it possible for me to lend myself to such a crooked, unnatural, untenable course as that recommended by the message? To give up what we have a good right to for the purpose of seizing that to which we have none, and this, too, when what we propose thus wantonly to sacrifice is confessedly of more intrinsic value than that we hone after; to consider a treaty as obligatory which has been executed by one of the two parties only; to limit the measures of our redress to that treaty when the American negotiator of it acknowledges that Don Ouiz was authorized by his instructions to grant us more than we get! And to do this, when, if the views of the President be correct, Spain, by her failure to ratify the treaty, has taken a position most decidedly disadvantageous to her. If, as you seem to suppose, it was contemplated to take Florida without the abandonment of Texas, one could consider of the scheme, possibly unite in it. But *that* is not the intention of the President; he wishes us to take the former and renounce the latter, and moreover to assume the payment of five millions of dollars to our citizens. Should we adopt this course and seize Florida, what would be the nature of our title to it? Would it be conventional, or one of conquest? Now, I cannot, in my conscience, go along with the President in these his views. I mean to propose the recognition of the Patriots and the seizure of Texas. These two measures taken, and Florida is ours without an effort. I might, indeed, be induced to comprehend Florida also in the self-redress which I think we are authorized to take; but if I am reduced to the alternative of subjecting ourselves to the obligations of the treaty whilst Spain remains free from them, *or* taking Texas, I must prefer the latter! The Missouri subject monopolizes all our conversation, all our thoughts, and for three weeks at least, to come, will occupy all our time. Nobody seems to think of or care about anything else. The issue of the question in the House of Representatives is doubtful. I am inclined to think that it will be *finally compromised*. No idea exists here of any issue or modification of paper to relieve the country. The prevailing opinion is that the only effectual relief for its embarrass-

ments is in the hands of the people *themselves*. We regret very much the measure to which you have thought yourselves constrained to resort at Frankfort. The Secretary of the Treasury said to me that he thought, from the exhibit which he had of your affairs, there was no sort of necessity for it, and he added, "that he could no longer give any sort of credit to your paper." I would be obliged to you to inform me what amount of paper you may issue, and what is the price of stock since the suspension, and whether *any* period is thought of when a resumption of specie is contemplated. To give us even as much money as before, you must put out an amount equivalent to the depreciation, which again will occasion further depreciation, and so on *ad infinitum*. Tell Bibb he is a *lazy fellow*, but lazy as he is, I must subscribe myself his and your

Faithful friend,

HENRY CLAY.

(James W. Barbour to John J. Crittenden.)

WASHINGTON, February 6, 1820.

DEAR SIR,—I sincerely regret that your private affairs made it necessary for you to leave the Senate. Among our regrets to which this life is subject there are few more unpleasant than those resulting from sudden and unexpected separations from those whom we delight to call friends. I hope it is unnecessary for me to state that my regard for you justifies me in telling you that such were my feelings on hearing that we were probably to see each other no more. You have, however, been relieved from one of the most irksome tasks I have ever experienced,—the discussion of the Missouri question. Who could have thought, last session, that the little *speck* we then saw was to be swelled into the importance it has now assumed, and that upon its decision depended the duration of the Union? *The dissolution* is one of the alternatives spoken of, rather than submit to the spirit of aggression which marks the course of our antagonists. A proposition has now been made for a compromise,—the amendment proposed by Thomas, which, I believe, unpleasant as it is, will be acceded to, as a lesser evil than either dividing the Union, or throwing it into confusion. The *great movers* of this question are against all *compromise*, leaving strong suspicions that they look to it as a means to acquire power, and unless speedily adjusted, such will be the result. I have been laboring incessantly on this subject, and if I can have industry enough to write out my remarks, the delivery of which cost me the best of two days, I will send you a copy.

Accept assurances of the most friendly regards.

J. W. BARBOUR.

JOHN J. CRITTENDEN.

Mr. Crittenden's house in Frankfort was a straggling, old-fashioned house on the corner of Main Street. The front door opened immediately on the street, and led into a wide hall which separated the dining-room and parlor. In fair summer evenings, the custom of the family was to take tea some time before night, and then assemble at the front door, which was only elevated about a foot and a half above the level of the street. The house was entered by two broad stone steps, and opposite these, on the outer edge of the pavement, were several massive marble steps, half circular, which had formed originally the base of some of the stone columns of the old capitol, burned down in 1826. Upon these steps the family and the guests (for there were always guests) seated themselves, the old folks on the sill of the door and the house-steps, the boys and girls (as Mr. Crittenden continued to call his children as long as he lived) on the steps opposite. The neighbors and friends would soon gather in and join the group at the front door. One of the *boys* would make his way with difficulty into the house, and hand out chairs through the low windows. Stragglers taking their evening walk would pause for awhile, and take part in the conversation, then move on, and others would take the vacant seats. Often the group assembled would be so large that the pavement would be filled up, and those who did not wish to pause would pass by on the other side.

There is no feature of the family life, as connected with Mr. Crittenden, more indelibly impressed upon my mind than these evening gatherings. Mr. Crittenden's cordial and kindly greeting, his warm sympathy and interest in all that concerned the welfare of his friends and neighbors; his inimitable style of telling an anecdote and detailing the news of the day could not be surpassed; his quick appreciation of even an attempt at wit encouraged the timid to do their best, and sent every one home between ten and eleven satisfied with himself and admiring and loving him more than ever. First in the order of the day or night, on these occasions, were family news, kind inquiries for the sick and the absent, little narratives of the wonderful children everybody had or supposed themselves to have, then politics in the largest sense, local and general.

Every man in Kentucky was a politician, and felt that he had

the might and the right to be a public speaker, if he chose, and the women and children generally thought the same of themselves. In early times, I recollect a row of tall Lombardy poplars, all along the front of the house; they were grand old trees, "growing ever upward, having neither fruit nor flowers, and giving no shade;" they were considered cumberers of the ground, and were cut down and replaced by locusts. I remember them with regret. The tree has grown out of fashion, but whenever I see one it brings back misty recollections of the past and of the old home-life. Mr. Crittenden had a real affection for his trees; his locusts were topped from time to time, and watched over with great care. He had a habit of talking to himself with animation. He came down generally before breakfast and walked in front of the house. If alone, he talked and gesticulated earnestly, to the amusement of the children, who were peeping at him through the window. Strangers, guests in the house, would sometimes catch a glimpse of him, and say, "Why, who is Mr. Crittenden talking to?" They would be highly amused when the thing was explained, and join the children at their post of observation. The old corner tree, which was twisted and gnarled and unsightly to every other eye, was his especial favorite; he would stand by it every morning, tapping it with his cane, and holding with it, seemingly, an animated conversation. These seem trivial things to recall, but the *old Frankfort people* will be gladly reminded of them, and these simple facts will bring back with them other memories of Mr. Crittenden: his cheerful "good-morning," his ready sympathy, his unostentatious hospitality, and all the nameless charm of manner, which not even his political opponents could resist. Mr. Crittenden was, indeed, hospitable in a grand old way, not as many men are with their superfluity, for, in his whole life, he never knew "*that thing*." It was his custom to entertain the senators and members of the Kentucky legislature every winter, giving about three dinners a week, and thus entertaining, before the session closed, every member more than once. These dinners were of the simplest character. In early days "old Bourbon" figured largely at the feast, but later, when times grew hard and money scarce, it was dispensed with. A big fish and a saddle of venison were the principal dishes, and

vegetables of old Kentucky growth the only addition. In those days, I am confident that French peas and asparagus would have been looked upon with suspicion and avoided. I believe that a merrier and wittier set of fellows were never assembled around any table than those Kentucky lawyers and politicians.

## CHAPTER IV.

1820-1823.

Old and New Court Question—Commission to settle the Boundary Line between Tennessee and Kentucky—Ferguson's Defeat—General Shelby—Letters.

**M**R. CRITTENDEN did not return to the Senate till 1835; during the period from 1819 to 1835 he was elected to the legislature of Kentucky repeatedly, and made Speaker of the House.

This was a most exciting period in Kentucky. The Old and New Court question, originally called Relief and Anti-Relief, was agitating the State as no other question has ever agitated it.

This was altogether a local question, but as Mr. Crittenden was greatly interested and took a prominent part in the dissension of the day, it may be well to give a sketch of the rise, progress, and defeat of the New Court party.

The termination of the War of 1812, with Great Britain, was followed by financial distress throughout the whole country, but particularly in Kentucky; the people were greatly in debt, and not content to trust to industry and economy for relief, they cried to the legislature for aid. Carried away by the force of popular feeling, the legislature of 1820-21 assembled and passed first a sixty-days' "stop-law," of all legal process of collection of debts, and then a two-years' replevin law, in connection with the establishment of the Commonwealth's Bank, which issued and loaned to the people, in every county, three millions of paper money. This currency soon became worth only fifty cents on the dollar, but the legislature required the creditors to receive it in full payment, or to wait two years for the specie. The law was pronounced unconstitutional by one or two of the Circuit Court judges, and their decision sustained by the Court of Appeals, composed of Boyle, Owsley, and Mills. A violent excitement throughout the State was the result. The following legislature repealed those judges out of

office, and reconstructed the Court of Appeals, making it to consist of four members, of whom William T. Barry was chief justice. Amos Kendall was the editor of the *Argus*, published at that time in Frankfort, and this paper was the organ of the Radical party.

A condition of public feeling followed in Kentucky only less violent than civil war. Private friendships were broken up, and danger of strife and bloodshed was imminent. The Old Court party contended that the Court of Appeals was established by the Constitution; was intended to be, and was, in fact, independent of legislative control; that its repeal was a legislative usurpation of power, and a practical overthrow of one of the co-ordinate departments of the government; that liberty itself lay prostrate at the foot of a legislative majority for the time being; that the Constitution intended the three departments—legislative, executive, and judicial—to be co-ordinate, independent, and reciprocal checks. True liberty could only consist in this arrangement of power.

After several years of bitterness and strife, the Old Court party prevailed, the old judges were reinstated, and the New Court decisions were set aside.

Order and peace were restored, but the New Court party became, almost without exception, Jackson Democrats, or Red Republicans, and the Old Court party, Whigs, or Conservatives. These two parties, their leaders and followers, have continued with but little variation to the present time. Mr. Crittenden belonged to the Old Court party,—was, in fact, its leading spirit. He was made president of the Commonwealth's Bank, and continued to fill that position for some time.

Among the many private friendships interrupted by this embittered state of feeling, Mr. Crittenden numbered two devoted and cherished friends,—George M. Bibb and Francis P. Blair. Every man who knew Mr. Crittenden remembers *how* he loved his friends. A friend once found was, indeed, "grappled to his soul with hooks of steel." Under no doubtful or suspicious circumstances was he ever given up. This characteristic of his was so marked, that many of those who loved and admired him considered it a weakness and reproached him for it. Judge S. S. Nicholas, of Louisville, Kentucky, told me that he was at one



time so exasperated with F. P. Blair for the unjust aspersions he had cast upon Mr. Crittenden, that he resolved never again to recognize him as an acquaintance. Being in Washington about this time, he entered one of the departments to visit Mr. Crittenden; found several gentlemen present, and among them Preston Blair. True to his purpose, Judge Nicholas straightened himself up and passed by Blair without even bowing. Mr. Crittenden received the judge with that kindly greeting and cordial grasp of the hand the magic charm of which many will remember; then, with some little embarrassment, he turned the judge around hastily, in front of Preston Blair, and said, "Here, Nicholas,—here is our old friend Blair. I know you will be glad to see him." There was no resisting *this*, said the judge: "I could but speak to Blair. As Mr. Crittenden would not resent Blair's conduct to himself, I could not very consistently do so."

(J. W. Barbour to J. J. Crittenden.)

BARBOURSVILLE, May 31, 1820.

DEAR SIR,—I had intended to have written to you by Judge Logan, who left us before the adjournment without any anticipation, on my part, that he meant to do so. I most cordially wish that you may very soon realize your golden prospects, as well for yourself as for your country. Take care, however, that your limits do not recede as you advance upon them. Enough has never yet been accurately bounded. Independence is a jewel of inestimable price, and should be forever kept in view, at least by the head of a family. In pursuing it, you give high proofs of prudence. That you will soon reach it I have no doubt. The session closed with the catastrophe of the tariff; not quite as important as the Missouri question, but probably the undisputed progeny of the policy that seeks to promote the interest of one portion of the Union at the expense of another. Deprived, however, of much of its consequence, from the circumstance that it was not so sectional in the support given it. Had Tompkins been elected governor of New York, there would have been considerable commotion among the aspirants to the two great offices. His defeat was a perfect damper. They are, for the present, in the language of diplomacy, placed "*ad referendum*." In a year or two they will be, like Falstaff's reasons, as thick as blackberries. The old Revolutionary generation has passed away. The new presents so many who are really equal, or think themselves so (which is the same thing),

that every section of the Union will have its claims, except Virginia. She, by common consent, is to repose on the recollection of what she has done. I fear, however, that the slave question will be revived in all its fury, and will be sufficient to bar the door against either a Southern or Western man. Time, however, will decide these things. It is not my nature to anticipate evil. I inclose you thirty dollars, as the fee in my case. Let me hear from you as soon as possible after its decision, or in the mean time, if convenient.

Your friend,

J. W. BARBOUR.

Mr. Crittenden was appointed one of the Commissioners to settle the boundary line between Tennessee and Kentucky, and the following is his report :

*To the Honorable the General Assembly of the Commonwealth of Kentucky, on the Boundary Line of that State.*

The undersigned, one of your Commissioners, respectfully reports: That the two Commissioners appointed for that purpose, in pursuance of the act of Assembly, approved the 1st instant, proceeded to confer and negotiate with the Commissioners of the State of Tennessee for the settlement and adjustment of the disputed boundary between the two States.

It may, perhaps, be necessary, for the more clear understanding of this report, to trace very briefly the origin and grounds of this dispute.

By the original charter of Virginia, granted by James I., in the year , she would have included in her boundaries considerable extent of territory southward of the parallel of north  $36^{\circ} 30'$  north latitude. This charter, however, was repealed in the year ; and afterwards, in the year , the charter of Carolina was granted, by which the territory of Virginia was restricted on the south, and a line to be run on the parallel of latitude above mentioned, "throughout the land from sea to sea," was, in effect, established as the boundary of the territories of Virginia and Carolina, and was, by both of them, regarded and considered as the limit of their respective sovereignty and right. As the population of those States, then provinces, advanced westward, and as convenience and policy required, this scientific line of division was ascertained and marked, and some time previous to the year 1778 had been extended, and marked by Jefferson and Fry as far as to a point on Sleep Rock Creek, about sixty miles east from Cumberland Mountain. About the last-mentioned period settlements began to be so far multiplied, west of the mountains, that it became necessary, for the purposes of government, that the line of division between the territories of

the two States should be still farther extended. Many circumstances rendered that measure necessary. The governments of both States had sold and issued, and provided for the selling and issuing of land-warrants to individuals, to be located by them on the vacant land of the West. It became, therefore, the duty of both States, by a demarkation of their boundary, to avoid, as far as possible, all conflict between the claims granted by the one and the other, and to put it in the power of every individual to know where to locate his warrant with certainty and security. Influenced by some or all of these considerations, it was agreed between said States that the boundary line between them should be extended and marked from the point on Sleep Rock Creek, where the line of the former Commissioners, Jefferson and Fry, terminated, as far westward as the Tennessee River. And, accordingly, Walker and others on the part of Virginia, and Henderson and others on the part of North Carolina, were appointed Commissioners by their respective States, for the purpose of so extending and marking said line. The Commissioners met at Sleep Rock Creek, and having ascertained the point of beginning and made the necessary observations, then commenced the running and marking of said line. Before they reached the eastern foot of the Cumberland Mountain, the Commissioners of the two States differed about the latitude of the line they were to run,—Henderson's observations inclining him to go farther north than Dr. Walker's. The parties being unable to come to any agreement upon the subject, finally separated. The North Carolina Commissioners returned home, the Virginia Commissioners went on; ascertained, as they supposed, the true latitude, and marked the line, with some intervals, as far westward as where it strikes the Tennessee River.

This line was made in the years 1779 and 1780, and is the same which has ever since been so generally known and called by the name of "Walker's line." In the year        the District of Kentucky became an independent State, and entitled to all the territorial rights of Virginia, west of the line which separates Kentucky from that State. The territory which forms the State of Tennessee was ceded by North Carolina to the United States on the        day of        ,        , under the authority of a law of that State, passed        ,        , and Tennessee was admitted into the Union as an independent State in the year 1796. It follows from this statement, either that "Walker's line," or a line upon the parallel of 36° 30' north latitude, is the coterminous boundary of the States of Kentucky and Tennessee. The Assembly of Virginia, in the year 1781, passed an act which recites that, "*Whereas*, a considerable part of the tract of country allotted for the officers and soldiers.

by an act entitled, etc., etc., hath, upon the extension of the boundary line between this State and North Carolina, fallen into that State, and the intentions of the said act are so far frustrated," and then provides that other lands, therein described, shall be "substituted in lieu of such lands so fallen into the said State of North Carolina." By another Act of Assembly of the State of Virginia, passed on the                      day of                      , 1791, it is recited by way of preamble, "that official information had been received by the General Assembly that the legislature of North Carolina have resolved to establish the line commonly called "Walker's line," as the boundary between North Carolina and this Commonwealth, and it is judged expedient to confirm and establish the said line on the part of this State." And it was then enacted, "that the line commonly called and known by the name of 'Walker's line,' shall be, and the same is hereby declared to be, the boundary line of this State." The Commissioners have not been able to find the act or resolution of the legislature of North Carolina, which is alluded to in the preamble to the last-recited act of Virginia, or to obtain any other information of it than what is afforded by that preamble. Nor does it appear, from any researches which your Commissioners have been able to make, that any communication or agreement had taken place, or been made, between Virginia and Carolina, in relation to "Walker's line," antecedent to the Virginia act of 1791, and the resolution of the legislature of Carolina therein alluded to; but from various acts of the North Carolina legislature, passed in the year 1781 and 1786, and between those periods, it appears pretty strongly that, even at that time, they regarded "Walker's line" as the boundary between them and Virginia. In several of those acts, passed for the erection of new counties, and containing a description of their boundaries, there are calls for the "Virginia line;" and in some instances the position and locality of that line are described in such a way as to leave little doubt but that "Walker's line" was intended.

The States of Kentucky and Tennessee having been formed respectively out of the Western territories of Virginia and North Carolina, are entitled each to all the territorial rights of its parent State. And of course the coterminous boundary of those Western territories of Virginia and Carolina, whatever it may be, must be the true and proper line of division between the States of Kentucky and Tennessee,—and whether "Walker's line" is to be considered as their proper coterminous boundary, or whether that boundary is to be sought for and established now upon the chartered latitudinal line of 36° 30' north, is the question in controversy between the States of Kentucky and

Tennessee. It is deemed unnecessary to enter into any detail of the proceedings of those States in relation to this subject. Too much excitement has prevailed between them. Some of their acts have been precipitate and inconsistent, others rash and angry,—the remembrance of which can only be useful as a means of guarding against their repetition.

It is only necessary to remark further on this branch of the subject, that the line run by Walker has ever since, whether rightfully or not, been observed and regarded as the actual boundary of jurisdiction by all parties, and that this question of boundary never became a subject of legislative attention or of dispute between the two States now interested till about the year —. Till about that time it is believed that the general opinion of those who thought "Walker's line" erroneous was, that it was south and not north of the proper latitude of  $36^{\circ} 30'$ . It has, however, been since ascertained, beyond any reasonable doubt, that "Walker's line," or a very great proportion of it, is north of the proper latitude, and that as it extends westward from the Cumberland Mountain, it gradually diverges farther and farther from the parallel of  $36^{\circ} 30'$  north latitude. The experiments made during the last summer by Messrs. Alexander and Munsell demonstrate this divergence. They ascertained the latitude of  $36^{\circ} 30'$  north on the Mississippi River, and found it to be seventeen miles south of where "Walker's line," if extended, would strike the same river. They then ran a line eastward on that latitude to the Tennessee River,—a distance of about sixty-five miles,—and at the termination of their line found that it was only about thirteen miles from "Walker's line." If this line of Alexander and Munsell be correct, and should, if extended, continue to approximate "Walker's line" in the degree, it is very evident that these two lines would not only converge to a point, but would cross each other some miles on this side of the Cumberland Mountain, which, according to Walker's mensuration and report, is about two hundred and forty-seven miles from the point at which his line intersects the Tennessee. Such is the general history of the origin and grounds of the dispute between Kentucky and Tennessee, and of the most important facts which relate to it. Your Commissioners proceeded to the task assigned them with a deep sense of their responsibility, and of the high importance of a subject involving directly the interest and harmony of two States, forming parts of one common country united by local situation and political ties, and almost identified by sympathy of feeling, congeniality of character, and the still more endearing ties of consanguinity.

In the course of our negotiations your Commissioners sub-

mitted to those of Tennessee the following propositions: First, that "Walker's line," from Cumberland Mountain to the Tennessee River, should so far form the boundary of the two States; that for all the lands lying between that part of "Walker's line" above described and the line of latitude  $36^{\circ} 30'$  north the State of Tennessee is to give to Kentucky an equivalent in territory, to be laid off between the Tennessee and Mississippi Rivers, on the south side of and adjoining to the line which was run during the last summer by Alexander and Munsell, and to be included in a line to be run from the one to the other of said rivers, and parallel to the said line of Alexander and Munsell; and that the line, including said equivalent, to be run as aforesaid from the Mississippi to the Tennessee, and thence down the latter to the termination of "Walker's line," should be also established as completing the boundary between the two States.

The second proposition was, that the said line of Alexander and Munsell, from the Mississippi to the Tennessee River, thence down that river to the point where "Walker's line" strikes it, thence with "Walker's line" to the point where it approaches nearest to the mouth of Obed's River, and from that point due north or south to the parallel of  $36^{\circ} 30'$  north latitude, and thence eastward on that parallel of latitude to the eastern extremity of this State, should form the permanent boundary between said States.

Both these propositions were rejected by the Tennessee Commissioners, who had submitted to us the following propositions: That "Walker's line" to the Tennessee River, thence up the same, on the western bank thereof, to the line of Alexander and Munsell, and thence with that line to the Mississippi River, should form the boundary between said States, and that reciprocal engagements should be made for the confirmation of certain claims granted by the States of Virginia and North Carolina, respectively, and which had been located south of "Walker's line," and north of Alexander and Munsell's line. And this proposition, submitted by them as the basis of a compromise and settlement, was declared to be, in substance, their ultimatum. The two propositions submitted by your Commissioners were rejected, and the propositions submitted by the Tennessee Commissioners remained as the only basis on which a settlement and compromise could probably be effected. On these propositions your Commissioners were divided. Mr. Rowan was entirely opposed to the boundary which was proposed, and refused on that account to accede to the terms offered. The undersigned was willing to have accepted the proposed limits with a slight modification, making the Tennessee River, instead of its western bank, the boundary of the two States,

and giving to each a common and concurrent jurisdiction over it. Your Commissioners disagreeing upon this principal and important point, did not much consider or discuss the incidental propositions which related to the claims of individuals. The undersigned entertained some doubts about the power of the Commissioners to enter into stipulations concerning those claims. But, if stipulations were to be made on this subject, he thought that those proposed by the Commissioners of Tennessee ought to be modified. Your Commissioners informed those of Tennessee of their disagreement upon the propositions submitted to them, and that, of course, no settlement could be made upon those terms. And in the same note which communicated that result, they proposed that the matters of controversy between the two States should be referred to the decision of such distinguished men as might be mutually agreed upon, and who should neither be citizens of Tennessee or Kentucky, Virginia or North Carolina, or of any other State formed out of territory which belonged to either of the latter States. This proposition was also declined by the Tennessee Commissioners.

And here terminated our negotiations with them. In addition to the above statement, and in order that the legislature may have the amplest information, it may be proper to remark that the Tennessee Commissioners expressed their perfect readiness to accede to any modification of their propositions that should not essentially change them, and particularly that they would agree that the Tennessee River, instead of its western bank, should be the boundary; and that it should be subject to the common jurisdiction of both States; and that they would make any modifications in their propositions which related to private claims, which should render them more satisfactory, or make them more equitable and reciprocal; or, in fine, that if it was preferred by Kentucky, they would waive all stipulations or engagements about private claims, and leave individuals without prejudice to assert and pursue their rights in any lawful way they might think proper. And upon the whole, the undersigned has no doubt that all other matters might have been satisfactorily arranged, if your Commissioners could have agreed upon the boundary of the two States as proposed by the Commissioners of Tennessee.

In differing with his more able and enlightened colleague, the undersigned has experienced the deepest and most sincere regret, and he feels so sensibly how much the burden of his responsibility has been thereby increased, that although he will not presume to attempt an elaborate argument upon a subject with which your honorable body is so well acquainted, he yet hopes that, without being considered obtrusive, he may be allowed

to suggest some of those views which have influenced his conduct.

The only question of difficulty between the two States is, whether "Walker's line" should be established, as Tennessee insists, or whether the line of division shall be sought for and fixed, as Kentucky has contended, upon the latitude of  $36^{\circ} 30'$  north. The undersigned has not so much considered on this subject what was abstractedly right or abstractedly wrong, but what was the best, the most politic, the most equitable, the most magnanimous that could be expected or done. And in this aspect of the subject he was willing to have concurred in the boundary proposed by the Commissioners of Tennessee. Upon the question of dispute between the two States, the undersigned did believe that in strictness the mere right was with Kentucky, and that there had been no such mutual and direct confirmation of "Walker's line" as would render it obligatory upon Kentucky in a court of law. But there are many circumstances that are calculated to mitigate this right, that address themselves strongly to us, and plead against a rigorous assertion of it.

Walker's was a line of demarkation made by our own parent State. In the year after it was completed that same parent State, by the act of 1781, before referred to, recognized it in the most emphatic manner as the limit of her territory. And again, by her act of 1791, before Kentucky had become an independent State, while she yet formed a part of the "Commonwealth" of Virginia, and before the authority of that State, as expressly reserved by the act or compact of 1789, had ceased over this country, she, in the most solemn manner, confirms and establishes "Walker's line," and acknowledges that she had previously received "official information" that North Carolina had also "resolved" to establish it. But it is said that this resolution of North Carolina and this act of Virginia were entirely inoperative because, some short time previous to the said act of 1791, North Carolina had ceded her western territories, according to their "chartered" limits, to the United States. Admit this argument to be conclusive, but let us ask if this transaction was so understood by the States of Virginia and North Carolina? Did they consider their act and resolution as mere nullities? And did they yet enact and resolve, as it appears they did, from the above-recited act of 1791? No, they most certainly did consider themselves as then competent to fix the boundary of their western territories, and Virginia did, in all probability, consider her act of 1791 as effectual and conclusive upon that subject. If, then, the States of Virginia and Carolina so considered and understood their own acts, does



it best become their descendants, Kentucky and Tennessee, to apply to those acts rules of construction which will entirely defeat and frustrate their effect, or to observe them, according to the understanding of the original parties, and in the same spirit of amity and conciliation?

"Walker's line," since the year 1780, and for about the space of forty years, has been observed as the line of division and jurisdiction. North Carolina, the United States, and the State of Tennessee have each in succession, as they were the sovereigns of the country, exercised jurisdiction on the south up to "Walker's line." That line for the same period has limited the jurisdiction of Virginia and Kentucky. Counties and county towns have on both sides been established with reference to this line. And with very few exceptions it has guided and regulated individuals, claiming under Virginia or Carolina, in their locations and appropriations of land. The effect of a change of this boundary for one a few miles farther south, will be to confound and endanger individual rights, to disturb and derange the municipal regulations, the counties and other sectional divisions of both States, and to coerce a reluctant people into subjection to our government. Ought all these considerations to be sacrificed to the acquisition of a strip of territory a few miles in breadth, along our southern border? or do they not rather strongly prompt us to a forbearance of our right and to the establishment of an old and long-respected boundary? Is this little acquisition necessary to the dignity and consequence of Kentucky? Surely it is not; and it does appear to the undersigned that the annexation of it to this State would be much less beneficial to us than the dismemberment of it from Tennessee would be injurious to them.

But suppose that all these considerations avail nothing; suppose that Kentucky, regardless of consequences, determines to insist upon her right to the disputed territory, and to compel its reluctant inhabitants to a state of vassalage, or, what is the same thing, unwilling submission to her government,—by what course is she to effect it? Tennessee has possession, a possession which has continued uninterrupted forty years. There is no tribunal before which a reluctant State can be arrayed. Congress has repeatedly refused, though urged in the strongest manner, to pass any law authorizing the Supreme Court of the United States to take cognizance of controversies between States. If their negotiation and compromise fail, where is our remedy? What is the value of our naked and abstract right—"a right without a remedy?"

There may now be some magnanimity and generosity displayed in sacrificing it to the peace and harmony of the two

States. We shall thereby also obtain a peaceable and quiet possession of all the territory which we claim, west of the Tennessee, and which would, in all probability, otherwise become the scene of active controversy and dangerous collision between the two States. Upon the whole, then, the undersigned could perceive no advantages likely to result to Kentucky from a protraction of this disagreeable controversy. He considered it as worse than useless to hold up "in terrorem" a *barren right* to be brandished a few years longer in vexatious contest, and then to sink into that oblivion to which time will inevitably consign every right which is not accompanied with its proper remedy.

Influenced by these circumstances and considerations, the undersigned was willing to establish "Walker's line," and to accede to the terms proposed by the Commissioners of Tennessee, with such modifications as they afterwards expressed themselves ready to allow. And in so doing, he trusts that he should in naught have committed either the interest or honor of Kentucky. For anxious, as he is willing to acknowledge he was, to see all matters of difference amicably settled, and proud as he should have been to have been instrumental in the humblest degree in removing every obstacle to the peace and harmony of two States so united, so allied, and so congenial in character, yet all these feelings are subordinate to that superior attachment and love which binds him to the interest and honor of his own native State. And in acceding to the proposed terms of compromise, he trusts that he has in naught committed either her honor or her true interest.

The undersigned begs leave to tender his sincere acknowledgments for the honor conferred on him by your honorable body by placing him in this important commission. And although he and his colleague have failed, he yet hopes that the superior wisdom of your honorable body may devise means for the accomplishment of the desirable object you had in view.

J. J. CRITTENDEN.

Mr. Crittenden assisted General Shelby in the preparation of his defense against the charges brought by Colonel Preston against the old hero.

The following letter from General Shelby to Mr. Crittenden with relation to Ferguson's defeat, will no doubt be an object of interest :

DANVILLE, June 16th, 1823.

MY DEAR SIR,—You have no doubt before this seen the replies of both General Preston and his son to my publication.

Colonel Preston proposes to establish for his own father the merit of planning the expedition which led to Ferguson's defeat.

I have examined the subject in my own mind in every point of view, and cannot, in the remotest manner, discover wherein General Preston could have had any agency in this exploit. I lived nearly one hundred and twenty miles from him, in a different State, and had no kind of communication with him on the subject, and from every recollection, I am convinced that the statement I gave you is indisputably true. I recollect, however, that Major Cloyd, with three hundred men from the county of Montgomery, commanded by Colonel Preston, fought an action with the Tories at the shallow ford of the Yadkin River, nearly one hundred miles north of King's Mountain, about two weeks after the defeat of Ferguson. It has always been a mystery to me as to Cloyd's destination, or that of the enemy whom he encountered. I have only understood that they met accidentally in the road, and that the enemy was composed of the Tories in the neighborhood, and of the Bryants, of Kentucky, some of whom were killed in the fight.

If Ferguson was Cloyd's object, he was too weak to effect anything, and besides, Lord Cornwallis, with the British army, lay directly in the route between them. My convictions are so clear on this point I have no fear that General Preston can render my statement doubtful. He proposes, too, to invalidate the testimony of Moses Shelby. I will, for your own satisfaction, give you a short sketch of his history. Moses was in his nineteenth year when he left his father's house to join the expedition against Ferguson, and had never before, to my knowledge, been more than forty miles from home. It is well known that our march was too rapid for a youth of that age to trespass in any manner, the army having marched two or three hundred miles, and fought the battle in twelve days, three of which we were detained on the road from different causes. Moses was severely wounded at the Mountain, and the bone of one thigh being fractured, he could be carried but a short distance from the battle-ground, where he lay on his back nearly three months, and was only able to ride out a few days before General Morgan came up into the district of Ninety-Six. He joined Morgan but a day or two before the battle of the Cowpens, on the 17th of January, 1781. Here he was wounded more severely than at the Mountain, and lay, until March or April, under the hands of a surgeon. When Colonel Clarke, of Georgia, came on with his followers to commence the siege of Augusta, his wounds were still sore and open, but at the warm solicitations of Clarke, Moses joined the expedition, and was appointed captain of horse. It is well known that the

siege lasted until May or June following, in which Moses was actively engaged, and Clarke asserted to many that he made several charges on the enemy, who sallied during the siege, which would have done honor to Count Pulaski. Moses returned home shortly after the siege, and never crossed the mountains again during the war. The next year, 1782, he, with other adventurers, went to the new settlements, then forming where Nashville now stands, where he continued off and on until he married, two or three years afterwards. As the settlements progressed down the Cumberland, he was always among the foremost of the pioneers. He finally settled in what is now called Livingston County, Kentucky, where, at the unanimous solicitation of the inhabitants, he was appointed colonel of the new county, about the year 1793. He had the command for a number of years. And after the acquisition of Louisiana, he removed to that territory, and now resides on the west side of the Mississippi, two miles below New Madrid, covered with the scars of thirteen deep wounds, received in defense of his country, from which he is too proud to receive a pension, always disdaining to apply for one. In his youth he was of a warm and ardent disposition, always ready to risk his life for a friend, and profuse of his property (of which he had a considerable inheritance), even to a fault. It would exceed the bounds of a letter to give you a statement of the many hair-breadth escapes and imminent dangers through which he passed. Soon after his marriage he became impressed with religious sentiments, joined the Methodist Church, liberated his slaves, and, so far as I know and believe, has always supported a good character in that county.

It is possible, while at the South, in 1780-81, from his ardent disposition and the prevailing excitement of the times, that he may in some cases have acted imprudently. The war between the Whigs and Tories was carried on with the utmost rancor and malice, each endeavoring to do the greatest injury to the other.

Colonel Willoughby, whose affidavit has been published, swears to no point. He lived three hundred miles from the scene of action, and his information may have been very erroneous.

If, however, General Preston proves *apparently* anything more, he shall be answered.

I have made this hasty sketch for your own satisfaction.

I remain, dear sir, very respectfully, your friend,

ISAAC SHELBY.

JOHN J. CRITTENDEN.

(Henry Clay to J. J. Crittenden.)

ASHLAND, September 13, 1823.

DEAR CRITTENDEN,—I received your letter by Mr. Davis. I participate most cordially with you in the just solicitude which the dispute between Messrs. Breckenridge and Wickliffe awakens. When it was first mentioned to me, considering the peculiar circumstances and the character of one of the parties, I feared that all private interference would be unavailing, and that the best course would be an appeal to the civil authority, with its chances of delay,—cooling of the passions, and possible ultimate accommodation. Supposing the intercession of the civil power, would not Mr. W. be relieved from the necessity of having the interview, and Mr. B. be stripped of any ground to carry into effect the alternative, which it is said he menaced? There is, however, no incompatibility between the two courses, which may be tried in succession, or simultaneously, according to *circumstances*. I have therefore prepared and, on my own part, signed a letter addressed to the parties, and which may be signed by *both*, or *either* of you, and the governor. If the relations of one of them to your brother should induce you to withhold your signature, that of the governor may be affixed without yours. I would advise a copy of this letter to be delivered to each of the seconds; and considering that it is uncertain where they *may meet*, I would suggest that one of the judges of the Court of Appeals or Circuit Courts be applied to for a warrant to bind the parties. The public rumor of their intention to meet will form a sufficient ground for his action. One of the motives which took me to Woodford was to see you. The melancholy event which occurred there of private affliction to you (on which I offer you my sincere condolence) deprived me of that pleasure. My health is not re-established, but is improving, and I begin to feel that I see land, or rather, that I may not *get under it*.

I am faithfully yours,

HENRY CLAY.

HON. J. J. CRITTENDEN.

## CHAPTER V.

1824—1829.

Letters—Jackson and Adams—Letters—Appointed, in 1827, United States Attorney for Kentucky—Removed by General Jackson—Nominated by President Adams to the Supreme Court—Letter of Mr. C. to a Friend, written from College of William and Mary.

(George M. Bibb to J. J. Crittenden.)

WASHINGTON, March 8, 1824.

DEAR JOHN,—That there are men who will ascribe my actions to any motive but a reasonable one, I know, but that any should suppose that I have come to Washington for the purpose of electioneering against Mr. Clay is an extravagance that I did not anticipate would have been charged against me. My great motive in coming here was to get a hearing and decision in my suit for the land at Falmouth; in this I have succeeded. The opinion is delivered, and is in my favor. I endeavored to lay a contribution on other suitors in the court to help pay expenses of the trip, but the people of Kentucky are not drilled to paying fees to the lawyers. They pay in promises. As to Mr. Clay, he has broken the cords of friendship which bound me to him; they can never again be tied. I have no desire to interfere with your friendship for him, nor to trouble you with complaints of his conduct to me. Beware of such sunshine friends! As to electioneering upon the subject of President, I am as far removed from it as Washington is from Kentucky. I have heard a great deal; said little. I am not a member of Congress, and have, therefore, no right to go to caucus or vote in caucus, nor have I a vote when the question shall come before the House of Representatives. A listener, who hears all parties, is perhaps better able to form his opinions than those who are heated, busy, bustling managers. The grand Harrisburg Convention has decided, with but a single dissenting voice, for Jackson. Roberts was the only man who did not, upon the first vote, declare for Jackson. This has given a new impetus to him. The anticipation that Pennsylvania would declare for him gave him great advantages. The undivided voice of the Convention at Harrisburg has surprised the friends of all the other candidates,—save those of Calhoun,—they looked for it after the meeting in

the county of Philadelphia, for the purpose of choosing a delegate to the Convention at Harrisburg. It seems that the people of North Carolina are taking up Jackson, as Pennsylvania did, against their politicians and of their own mere will. So it is in New York. The majority of the Senate are disposed to keep the appointment of electors in the legislature,—that is their calculation for Crawford; but a large majority of the House of Representatives of that State are decidedly opposed to Crawford. Adams is the most *potent* there. With the people, Jackson is next to Adams, and should the election go to the people Jackson may prevail in that State. The indications in Maryland are for Jackson. Tennessee and Alabama, Mississippi, Louisiana and Missouri, for Jackson. All New England for Adams. As for Indiana and Ohio, it is difficult now to say for whom their vote will be. The most knowing say that the substantial controversy is now between Adams and Jackson, and by a union of the slaveholding States with Pennsylvania Jackson may be elected. Unless Clay gets the votes of New York he cannot be one of the three from whom the House of Representatives is to choose. What revolutions in the electoral votes may take place before the time of choosing the Electoral College, should the friends of Crawford find out what everybody else seems to have found out (that *he* cannot be elected either by the people or the House of Representatives), cannot be foreseen. Jackson's ticket is every day acquiring new friends. Since the Convention at Harrisburg his pretensions are placed before the people by means of newspapers that were devoted before to other candidates. So much for politics. The great case, between Jersey and New York as it is called, upon the constitutionality of the law of New York, giving to Fulton the exclusive right to navigate the waters of New York by steamboats, is decided against New York. In this cause, I heard from Wirt the greatest display that I have ever heard at the bar since the days of Patrick Henry. His legal argument was very strong; his peroration was beautiful and grand. I did not hear Webster, nor Oakley, nor Emmett in this case, but all are said to have exhibited great talents. I have heard Webster, Sergeant, and White, of Tennessee. Wirt, Webster, White, and Ogden are the ablest lawyers, and Walter Jones should also be ranked among the first. Emmett I have not heard, but his reputation is high. After all, I have not been convinced that the bar of Kentucky does not contain as much talent and force as any other bar in the Union.

*March 17th.* I have heard Wirt in another great case, opposed by Clay and Harper. Wirt rises with the occasion and the opposing force. The bill for putting the choice of the electors

of New York to the people has been rejected by the Senate, so that it cannot now be foreseen how New York will be. The majority of the Senate for Crawford, the majority of the House of Representatives against him. Mr. Clay's prospects there, feeble as they were, *are gone*. We may now begin to settle down between Jackson and Adams. I can have no hesitation; my voice is for Jackson.

Monroe is here, *our Tom*, and is charged with a speech. I have no mission in view; I expect to be a pleader of causes as long as I am able to follow the profession. I had not, in coming here, any other motive or prospect. This day week I expect to be off to Kentucky.

Yours, as ever,  
GEORGE M. BIBB.

(Henry Clay to J. J. Crittenden.)

WASHINGTON, August 22, 1825.

DEAR CRITTENDEN,—Upon my arrival here, yesterday, I found your agreeable favor of the 7th instant. Although it is a moment of severe affliction with me, I cannot refuse myself the satisfaction of addressing a line to you. I rejoice most heartily in the event of our elections. I rejoice in *your election*, to which I attach the greatest importance. I rejoice that the vile and disgusting means employed to defeat you have failed, as they ought to have failed. Your presence in the House will be highly necessary. The *pruning-knife* should be applied with a considerate and steady hand. The majority should dismiss from their minds all vindictive feelings, and act for the good and the honor of Kentucky, and for the preservation of her constitution. You will have some trouble in preserving the proper temper, but you should do it; *nothing* should be done *from* passion or *in* passion. Undoubtedly restore the constitutional judges, repeal bad laws, but preserve good ones, even if they have been passed by the late dominant party. When you have the power of appointment, put in good and faithful men, but make no *stretches* of authority even to *get rid* of bad ones. Such would be some of *my rules* if I were a member of the G. Assembly. I hope we shall preserve the public peace with Georgia, notwithstanding the *bad humor* of her governor. Nor do we intend that the treaty with the Creeks shall be executed before the time fixed by its own stipulations for its execution, which, *happily*, will again bring that instrument in review before Congress.

Your faithful friend,  
HENRY CLAY.

Respects and congratulations to Harvie.  
JOHN J. CRITTENDEN.



(J. J. Crittenden to Henry Clay.)

FRANKFORT, September 22, 1825.

MY DEAR SIR,—Your letter has been received, and I thank you for your friendly congratulations on my election. You are pleased to attach more consequence to it than it deserves. The general result of our late elections is a triumph, and a just subject of congratulation among the friends of constitutional government. It is my misfortune that so much is expected of me. I speak it more in sorrow than in vanity. The "Anti-Reliefs" and the "Reliefs" both have their eyes fixed upon me. The former expect me to *do* a great deal, the latter to *forbear* a great deal. My situation will be delicate, and I fear I shall not be equal to it. The party ought to do nothing from passion, nor in passion. We must retrench, and we must have a short session, must avoid every act of indiscretion which would turn from us the public feeling. It is not certain what course the new judges will pursue. They have not resigned; some of their party talk of their holding out to the last extremity. Supposing them to take *this course*, and supposing the governor and Senate to defeat the passage of a bill for the repeal of the act under which these new judges were created, ought not the House of Representatives to declare, by resolution, that *act* to be unconstitutional, and that Boyle, Owsley, and Mills are the only constitutional judges? Ought they not to resume their functions and *coerce* the redelivery of the records that were wrested from their clerk by the new court? Would it be better to leave the new court in possession of the records and appeal again to the people at the next election? The subject is perplexing, and I should like to hear your views.

Yours, etc.,

J. J. CRITTENDEN.

(Henry Clay to J. J. Crittenden.)

WASHINGTON, March 10, 1826.

DEAR CRITTENDEN,—Robert Scott informs me that there are several cases of the estate of Colonel Morrison on the docket of the new Court of Appeals. I should be glad if they were anywhere else; but, being there, I must beg that you will not allow the estate to suffer for the want of counsel. If you do not practice in the new court and believe that counsel may be nevertheless necessary there, be pleased to engage for me some one who does. I have absolutely not had time or health to keep up my private and friendly correspondence during the past winter with any regularity. With respect to politics, from others and from the public prints, you have no doubt received most of the information which I should have been able to com-

municate. In the House of Representatives members and talents are largely on the side of the administration. In the Senate matters do not stand so well. There are about sixteen or seventeen senators resolved on opposition at all events, seven or eight more are secretly so disposed, and indulge in that spirit, as far as they can, *prudently*. When these two sections unite, they make together a small majority. Near three months ago a nomination was made of ministers to Panama. That subject has been selected for opposition, and by numerous contrivances, the measure has been delayed to this time, and *may* be for some days to come. On all collateral questions, these senators who are secretly disposed to opposition, vote with the Macedonian phalanx, and thus making a majority procrastinate the decision. Nevertheless, that decision is not believed by either party to be doubtful. The measure will be finally sanctioned by a small majority. The Vice-President (your particular friend) is up to the hub with the opposition, although he will stoutly deny it when proof cannot be adduced. One of the main inducements with him and those whom he can influence *is*, that they suppose, *if* they can defeat, or by delay cripple the measure, *it will affect me*. I am sorry to tell you that our senator (Mr. Rowan) is among the bitterest of the opponents to the administration. He appears as if he had been gathering a head of malignity for some years back, which he is now letting off upon poor Mr. Adams and his administration; he is, however, almost *impotent*. As for the *Colonel*, he is very much disposed to oblige all parties, and is greatly distressed that neither of them is willing to take him by *moiety*s. If the Relief party should decline (as Jackson's cause seems to be giving way), the *Colonel* will be a *real*, as he is now a nominal, supporter of the administration. The President wishes *not* to appoint a judge in place of our inestimable friend, poor Todd, until the Senate disposes of the bill to extend the judiciary, though he may, by the delay to which that body seems now prone, be finally compelled to make the appointment without waiting for its passage or rejection. It is owing principally to Mr. Rowan that an amendment has been made in the Senate, throwing Kentucky and Ohio into the same circuit, and his object was to prevent any judge from being appointed in Kentucky. He told me himself that he wished the field of election enlarged for a judge in our circuit. Give my respects to Blair, and tell him I mean to write to him soon,—not, however, on Kentucky politics. Say to him that I should be very glad to gratify him if I could, by expressing an opinion in favor of *the* — or a compromise, but I would rather oblige him in any other matter. I mean to *abjure* Kentucky politics, not because

I have not the deepest interest in all that concerns her character and prosperity, but—it is not worth while to *trouble you with the reasons*.

I am faithfully your friend,

H. CLAY.

HON. J. J. CRITTENDEN.

(Henry Clay to J. J. Crittenden.)

WASHINGTON, May 11, 1826.

DEAR CRITTENDEN,—I have received your acceptable favor of the 27th. The affair with Mr. R., to which you refer with so much kindness, was unavoidable (according to that standard, my own feelings and judgment, to which its decision exclusively belonged). I rejoiced at its harmless issue. In regard to its effect upon me, with the public, I have not the smallest apprehension. The general effect will not be bad. I believe it is the only similar occurrence which is likely to take place here. As to McDuffie and Trimble, the general opinion here is that Trimble obtained a decided advantage, and in that opinion I understand some of the friends of McDuffie concur. You will not doubt it when you read Trimble's speech, who really appears on that occasion to have been inspired. Mr. Gallatin is appointed to England, and there is general acquiescence in the propriety of his appointment. Our senator, Mr. R., made a violent opposition to Trimble's nomination, and prevailed upon four other senators to record their negatives with him. He is perfectly *impotent* in the Senate, and has fallen even below the standard of his talents, of which, I think, he has some for mischief, if *not* for good. The judiciary bill will most probably be lost by the disagreement between the two Houses as to its arrangements. This day will decide. My office is very laborious. Amidst sundry negotiations and interminable correspondence, I have, nevertheless, found time during the winter and spring to conclude two commercial treaties,—one with Denmark and one with Guatemala, which have had the fortune to be unanimously approved by the Senate. Publication deferred till ratified by the other parties. I am rejoiced at the prospect you describe of the settlement of our local differences. It will be as I have ever anticipated. I think, with deference to our friends, there has been all along too much doubt and despair. On the other hand, you should not repose in an inactive confidence. I believe with you, that some of the Relief party have been alienated from me. Not so, however, I *trust with Blair*, to whom I pray you to communicate my best respects.

Yours, faithfully,

HENRY CLAY.

(J. J. Crittenden to Henry Clay.)

FRANKFORT, September 3, 1827.

MY DEAR SIR,—I have received your letter of the 23d of July last, and cannot hesitate to give you the statement you have requested. Some time in the fall of 1824, conversing upon the subject of the *then pending* presidential election, and speaking in reference to your exclusion from the contest, and to your being called upon to decide and vote between the other candidates who might be returned to the House of Representatives, *you declared* that you could not, or that it was impossible, for you to vote for General Jackson in any event. This contains the substance of what you said. My impression is, that this conversation took place not long before you went on to Congress, and your declaration was elicited by some intimation that fell from me of my preference for General Jackson over all other candidates except yourself. I will only add, sir, that I have casually learned from my friend Colonel James Davidson, our State treasurer, that you conversed with him about the same time on the same subject, and made in substance the same declaration. Notwithstanding the reluctance I feel at having my humble name dragged before the public, I could not in justice refuse you this statement of facts, with permission to use it as you may think proper for the purpose of your own vindication.

I have the honor to be, yours, etc.,

J. J. CRITTENDEN.

HON. HENRY CLAY,  
Secretary of State.

(Henry Clay to J. J. Crittenden.)

WASHINGTON, Feb. 14, 1828.

MY DEAR SIR,—I have delayed answering your last favor under the hope that I might have it in my power to communicate to you some more certain information than I am able to transmit respecting public affairs. In regard to New York, the late caucus nomination of General Jackson was the mere consequence of the packed elections to their legislatures last fall. So far from discouraging our friends there it is believed that good will come out of it. They speak with great confidence of a result next fall that will give Mr. Adams a large majority of the electoral vote of that State. Our prospects are good in Pennsylvania and Virginia, and especially in North Carolina. If our friends, without reference to false rumors and idle speculations everywhere, do their duty, the issue of the present contest will, in my opinion, be certainly favorable to Mr. Adams. All that

we want is a tone of confidence corresponding with the goodness of our cause. Is it not strange that no member of the court, nor any *bystander*, should have given me any account of my trial before the Senate of Kentucky, with the exception of one short letter before it began, and another after its commencement, from a friend residing some distance from Frankfort? I have received no satisfactory information about the extraordinary proceeding. Of the result I am, as yet, unaware. I hope if I am to be hung I shall be duly notified of time and place, that I may present myself in due form to my executioner. But to be serious, was it not a most remarkable proceeding? I never doubt the good intentions of my friends, but in this instance I am afraid their zeal and just confidence in my integrity have hurried them into some indiscretions. By admitting the investigation, have they not *allowed*, what no man of candor and of sense believes, that there may be ground for the charge? At this distance it is difficult to judge correctly, but it seems to me that it would have been better to have repelled the resolution of General Allen with indignation. I make, however, *no reproaches*. I utter no complaints. Resignation and submission constitute my duty, and I conform to it cheerfully. I perceive that Mr. Blair refused to be sworn. I persuade myself that his resolution was dictated by honor and his personal regard for me. Still, I fear that malice will draw from his silence stronger conclusions to my prejudice than could have been done if he had exhibited my letter. Should that appear to *you* and *him* to be the case, I should be glad that you would have the letter published,—there is nothing in it but its *levity* that would occasion me any regret on account of its publication. The public will, however, make a proper allowance for a private and friendly correspondence never intended for *its* eye.

We shall have the tariff up in Congress next week. I anticipate a tremendous discussion. The Jackson party is playing a game of brag on that subject. They do not really desire the passage of their own measure, and it may happen in the sequel that what is desired by *neither party* commands the support of both.

I am, as ever, cordially your friend,  
H. CLAY.

Hon. J. J. CRITTENDEN.

(Governor R. P. Letcher to J. J. Crittenden.)

WASHINGTON CITY, March 15, 1828.

DEAR SIR,—I answer your favor of the 4th without a moment's hesitation. You ask me whether I have any recollection

of writing to you during the pendency of the late presidential election, requesting you to see Mr. F. P. Blair and get him to write to David White, your *representative* in Congress, to *encourage or induce him* to vote for Mr. Adams, informing me at the same time that Mr. Blair, in a recent friendly conversation between him and yourself, alleged such to be the fact. Now, sir, *you* nor no other gentleman ever received such a communication from me. How could I have made such a request? What necessity was there for it? Mr. White never, to my knowledge, expressed any doubt in relation to his vote for Adams. On the contrary, he was determined, positive, and decided in his feelings against General Jackson from the moment he knew between whom the contest would be. I knew him too well to suppose he needed any stimulants to vote for Adams. His anxiety on that subject was superior to mine. I have no doubt if Mr. Blair and yourself will, in that free and friendly intercourse which always existed between you, call upon White, the mistake which you allude to can at once be corrected as far as my name is concerned. Let Mr. Blair look into his letters to Mr. White, and their dates, and he will at once perceive from the whole tenor of his correspondence that it would have been worse than idle on my part to ask *him* through *you* to induce White to vote for Adams. White showed me several letters from him early, I think, in January, 1824, advising him in the most persuasive language to vote for Adams, saying, "he was much the *safest chance of the two*." I saw similar letters of Mr. Blair to Mr. Clay. I speak from recollection, but it is probable Clay and White have both preserved their letters, by which Mr. Blair can satisfy himself. I have no doubt he will be very much surprised when he looks into the whole of his letters at the great solicitude he manifested in behalf of Mr. Adams in 1824. I have said nothing about these matters. I have interfered less with the vile charges made against others and *myself also* than any other man who has been implicated, having resolved as long as possible to keep myself out of all newspaper controversies. I believe I can satisfy you how the mistake *has* occurred between you and Blair. I wrote very few letters during the pendency of the presidential election to any one. I wrote *two* to you, neither of which contained more than ten or twelve lines. The first was written about the middle of January. In that letter I said that Mr. Bibb (I had just understood) had obtained, or perhaps was the bearer of many private letters to Mr. White, informing him that his district was in a flame at the idea of his voting for Adams, and that Kentucky would burn every man in effigy who dared to vote against Jackson. . . . I think I inquired if such was the fact, and whether you had any reason to believe

Mr. Bibb had such letters, and suggesting that *if he had*, they contradicted all the information which had been communicated by you, Blair, and others in relation to public opinion. Whether you read this letter to Blair I *can't tell*, neither did I care whether you did or not,—it *contained no treason*. You never answered my first letter, or my *second*, which bore date the day of the election for President, and in which I informed you of the result. I have given you a hasty, but I believe a correct, account of our correspondence in 1824. This letter is not intended for publication. Should you and Blair get into a paper war, and I am called upon to make a statement, I will endeavor to do justice to both, but should regret to form any part of it. I will apply to Clay to see the whole of Blair's correspondence with him in 1824, by which I can ascertain *facts* and dates.

With great respect, yours,  
R. P. LETCHER.

Hon. J. J. CRITTENDEN.

Mr. Crittenden has been charged with inconsistency in his political course in early life, more particularly in relation to General Jackson. It is said that he was originally a Jackson man, and abandoned him for Mr. Adams without cause. This was at the time when the cry of "bargain and corruption" was brought against Mr. Clay. In this connection I will give a letter written by Mr. C., in 1825, to the Hon. Mr. White, and another to Ben Taylor:

DEAR SIR,—All compliments aside, I am really much obliged to you for your regular correspondence. The information you give me concerning the presidential election dissatisfies me more and more with the course pursued by our legislature, in instructing you to vote for Jackson. Without reasoning much about the matter, my preference was for Jackson; but that preference was unmingled with any condemnatory or vindictive spirit towards those who should take a different course. I felt that it was a subject of deep and vital consequence, and that there were many considerations which rendered it important that you should be left with entire liberty to act and represent us on that occasion. I was totally averse to the instructions given you, and desired that you should be guided by your own discretion and sense of responsibility. You were as well acquainted as the legislature was with the sense of your constituents, and they ought to have been satisfied that you would support Jackson, but for some sufficient reasons which might

arise out of facts and contingencies which they neither did or could know. The fact is, our legislature had taken it for granted that Jackson was to be the President, and they were ambitious of having a hand in the matter, *discharging* their duty, and having the seeming honor of conferring the Presidency.

From what I have said you may readily conclude that you have no cause to expect my condemnation for any course you may think proper to pursue, nor do I believe you have anything to apprehend from your district. I am told that your senator, Charles Allen, was violent against the instructions. It is true I am an advocate for the right of instruction, and it is moreover true that I prefer Jackson to Adams, but I prefer my country to either, and I do not consider a request of the legislature as a binding instruction on a representative of the people. Preferring Jackson personally, I still feel that many considerations might arise which would lead me to forego that preference, and the request, or even instructions, of the legislature with it. I would not hesitate to give my vote for Mr. Adams, if it was necessary to prevent a failure in the election. Of all the results that would grow out of this contest, none would be more obnoxious, or more to be deplored, than that of devolving the chief magistracy upon the Vice-President. The people expect a President, and will not be satisfied with a subaltern. It will be a reproach to the republic, and an ill omen for the future, if it shall appear that we have already become too disunited, too factious, to agree upon a chief magistrate. I would do almost anything to avert this! Again, as much as I like Jackson, I know that he has not that knowledge of politics best calculated to qualify him for the discharge of the high and arduous duties of the Presidency. The character of his administration would depend greatly upon the qualifications of his cabinet or counselors. Thinking, as I do, of Mr. Clay, of his great integrity, his consummate ability, and his lofty American spirit, I believe it to be highly important to the public interests that he should occupy a distinguished position in the executive department. Under all circumstances, my first wish, dictated by my personal partialities and considerations of the public good, would be, that Jackson should be elected President and Clay should be his Secretary of State. I really do believe that the common good is more concerned in Clay's being Secretary of State than in the question between Jackson and Adams.

My letter is so long I scarcely know what I have written. Of this I am sure, it contains a quantity of hasty, trashy politics which I would not willingly have any but a friend look upon. In your last letter you express some friendly apprehensions that you might have given me pain or offense by what you



said of Calhoun. Dismiss all such fears. Mr. Calhoun has seen, but does not know me, and I know but little of him. He cares nothing for me; and I, as old Lear says, "owe him no subscription." I voted for him as Vice-President; I thought he was the abler man. Had I believed that Clay's interests would have been advanced a hair's breadth by my voting against Calhoun, it would have been done. It is *dark*; I cannot read over what I have written. Write to me frequently.

Your friend,

J. J. CRITTENDEN.

(J. J. Crittenden to Henry Clay.)

FRANKFORT, Dec. 3d, 1828.

DEAR SIR,—Though recent occurrences have greatly depressed my spirits, my principles forbid me to despair. I have a strong confidence "that truth is omnipotent and public justice certain," and that you will live to hail the day of retribution and triumph. Your political enemies render involuntary homage to you by their apprehensions of your future elevation, and your friends find their consolation in looking upon the same prospect. The combination formed against you will dissolve,—its leaders have too many selfish views of personal aggrandizement to harmonize long. Your friends will remain steadfast,—bound to you more strongly by adversity. You will be looked to as the great head of the mass that constitutes the present administration party. This spirit is already visible, and I am sanguine of its final result. What an excellent philosophy it is which can thus extract good from evil, consolation from defeat! You will, of course, go on with the administration to the last moment, as though Mr. Adams had been re-elected, and with all the good temper and discretion possible. But what then? That you should return to your district and represent it again in Congress seems to be the expectation of your friends. It is certainly mine. Our judges of the Court of Appeals, Owsley and Mills, have this day delivered their resignations to the governor. This will deprive the agitators of one of their anticipated topics. I think they will both be renominated. Owsley will be confirmed, Mills will be strongly opposed,—he is, unfortunately, very unpopular. As to the Federal judgeship, to which you say I have been recommended, I have only to remark that if it should come to me, neither the giving nor the receiving of it shall be soiled by any solicitations of mine on the subject. The kindness of those friends who have recommended me is doubly grateful to my feelings, as it was unsolicited. I have never been guilty of the affectation of pretending that such an office would be unwelcome to me, but I have certainly never asked any one to recommend

me. I wrote to Judge Boyle that I would not permit myself to be thrown into competition with him; but he informed me that he would not have the office. I have violated all rule in writing so long a letter to a Secretary of State, and will only add that I am his friend,

J. J. CRITTENDEN.

Hon. HENRY CLAY,  
Secretary of State.

(Letter from Mr. Crittenden to Ben Taylor.)

DEAR SIR,—I have this morning casually learned that in a conversation, held by you in Versailles within a few days past, on the subject of my removal from office, you declared it was justified, if for no other reason than upon the ground that I had written two letters to different gentlemen at Washington,—one expressing a wish that General Jackson might “beat the Yankee,” the other “that Mr. Adams might be elected.” I may not be accurate as to words, but the above is the substance of your declaration, as stated to me. The letters alluded to were, I presume, those written by me to General Call and to David White. They have been published, together with my remarks and explanations in relation to them. That publication, I persuaded myself, ought to have satisfied every impartial man, who took the trouble to read and to consider it, that the charge of inconsistency made against me was groundless, and had been propagated by those who did not or would not understand the case. I felt, indeed, that I might treat it with disdain. Judge, then, of my surprise and astonishment that you, at such a time and under such circumstances, should be the first to renew such an imputation. My enemies I can defy! But your multiplied kindnesses forbid me to regard you as an enemy; and I was not prepared for such a blow from the hands of a friend. Believe me that I write to you “more in sorrow than in anger,” and that if I had regarded you less I should not have troubled you with this communication. I do know and feel that you have done me injustice, unintentionally, I hope; but this consciousness will no longer permit me to look upon you as my friend so long as your conduct is unexplained or unatoned for.

I have thought it due to frankness and to the relations which have heretofore existed between us to make this communication to you.

In conclusion, I have only to assure you that I do not feel the least concern at my removal from office,—that no sensation of chagrin mingles with my emotions on this occasion. I care nothing for the office, and nothing for the removal,—it is your imputation alone which wounds me.

J. J. CRITTENDEN.

BENJAMIN TAYLOR, Esq.

In 1827 Mr. Crittenden was appointed Attorney of the United States for the District of Kentucky by President Adams.

In 1829 he was removed by General Jackson, and John Speed Smith appointed in his place. The same year Mr. Crittenden was nominated, by President Adams, to fill a vacancy on the bench of the Supreme Court, occasioned by the death of Judge Trimble. A partisan Senate resolved not to act on the nomination during that session of Congress. I give below two letters from Henry Clay on this subject; one written on the 6th of January, 1829, the other on the 27th of the same month, and letters from other friends:

DEAR SIR,—I received your letter of the 27th with its inclosures, which I have sent, through the post-office, to their respective addresses. They arrived in time to produce all the good they are capable of effecting. Your nomination was made to the Senate, agreeably to the intimation I gave you in my former letter; it has ever since been suspended there, and its fate is considered uncertain by your friends. It was referred, I understand, to a committee, which is not a very usual thing with original nominations. The policy of the Jackson party will be to delay, and ultimately to postpone it altogether.

I believe it is contemplated by some of our friends to move to have the committee discharged, and the nomination taken up in the Senate. Such a motion will probably be made in a few days. As soon as the result is known I will inform you. In the mean time you need not to be assured that I will do everything in my power, consistently with propriety, to promote your success.

I remain, with constant regard, cordially

Your friend and obedient servant,

H. CLAY.

January 27, 1829.

DEAR SIR,—I received your letter of the 16th. I was not aware of the neglect of your friends to write to you. I do not think that you have any ground for apprehending that they have, in other respects, neglected your interests. I believe, on the contrary, that all of them have exerted themselves to get your nomination confirmed. Fletcher has employed the most active exertions for that purpose, direct and indirect. Should your nomination be rejected, the decision will be entirely on party grounds; and ought, therefore, to occasion you no mortification. I understand that the Senate is considering a general proposi-

tion, that they will act upon *no* nominations during the present administration, except perhaps in some few cases of great emergency. I need not comment upon the exceptional character of such a proposition. It amounts, in effect, to impeding the action of the whole government. If the Senate were to resolve that they would not, during the rest of the session, act upon any business sent from the House of Representatives, such a resolution would not be more indefensible. What will be the fate of the proposition I cannot undertake to say. There is no doubt that it is principally leveled at the appointment for which you have been nominated. Besides the general party grounds, there are two personal interests at work against you,—one is that of Mr. Bibb, the other, that of Mr. White, of Tennessee. If General Jackson has to make a nomination, I think it probable that the Tennessee man will get it. I wish I could afford you some certain information as to the probable issue of your nomination. I regret to be obliged in candor to tell you that the more prevailing impression is that it will be rejected. If the above-mentioned proposition should be adopted, it will not be specifically acted upon; but if the question shall be directly put on the nomination, I cannot help *thinking*, perhaps I ought rather to say hoping, that it will be approved. Tyler, McKinley, Smith of South Carolina, and Smith of Maryland, have all, I understand, been repeatedly spoken to. I had a conversation with Tyler and Smith, from which I concluded that they would vote for you, whilst a directly contrary impression has been made upon the minds of others by the same gentlemen. I was told this morning, positively, that Tyler would not vote for you! So uncertain is everything, you see, here. The best course, perhaps, for you, is not to let your feelings be too much enlisted; cultivate calmness of mind, and prepare for the worst event.

I remain, with constant regard, your faithful friend,

H. CLAY.

WASHINGTON ACADEMY, May 22.

MESSRS. WHITE AND CRAIGHILL, Federalists,—As all the news which I have to write will not, at the most liberal calculation, be worth more than the postage of one letter, I have judged it proper to address you both in the same epistle. I believe you were the last of the students who went away during the vacation. Nearly all the old students have returned, except the Archers, who, Richard Powell informs us, will not come back. Isaac Booth has not yet arrived, but I suppose there is no doubt but he will return. It is supposed the students will be more numerous this session than formerly; there are between forty and fifty here now, and I think if you two were here we

should be a complete phalanx. All your old friends concur with me in wishing your return. I should have written to you long since had it not been for lack of something to write; but surely the same excuse will not do for you, who should have written us certainly whether you would return or no, and likewise change of place would have given you an opportunity of seeing and hearing a great many things. I should like to know how you employ yourselves; for my own part, I am studying belles-lettres and mathematics, which occupy all my time. Nothing hostile has happened of late between the students and their enemies. I hope you will be regular and faithful in your correspondence. Although it is not my custom, however badly I write, to ask forgiveness for my inaccuracies, yet this letter will need your utmost partiality. Adieu.

Yours,

J. J. CRITTENDEN.\*

P. CRAIGHILL AND J. WHITE.

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\* This letter Mr. W. N. Craighill found among his father's papers, in 1844, and sent it to Mr. Crittenden as a pleasant reminder of his college days in Virginia.

## CHAPTER VI.

1829-1832.

Congratulations—Testimonials of Confidence—Invitation to “Old Logan”—Letters  
—Criminal Trial in Frankfort.

IN 1829 Mr. Crittenden was removed from the office of District Attorney for Kentucky. At the time congratulations and testimonials of confidence and admiration poured in upon him from every quarter. The following letter came from “Old Logan,” where he commenced his career:

DEAR SIR,—The undersigned, a committee authorized in behalf of the citizens of Russellville and Logan County, invite you to a public entertainment during the summer. A visit to this quarter of the State would insure them heartfelt satisfaction. They cherish with pride and exultation the recollection that in the town of Russellville and in the county of Logan those attractive and endearing qualities of the heart, candor, sensibility, and generous magnanimity, and those powerful, diversified, and commanding talents that seize upon the mind and sway the human soul, were first felt and properly rewarded. Here you began your practice at the bar, which has since been to you a field of honor and renown; here the citizens of *Old Logan* took you by the hand and sent you to the legislature, where your genius and eloquence won for you the brightest honors of the statesman. The people of Logan rejoice that your talents and impassioned eloquence, and your private and political virtues, commanded and still command the affection and admiration of the people of Kentucky. Their motive, however, for wishing to give a marked expression of their kind feelings on the present occasion is not limited by the sentiments of respect and love which they cherish for you,—they are influenced by views of a more general nature.

They have learned with indignation that the hand of arbitrary power *has* reached you, that you have been rudely hurled from the office of Federal District Attorney, conferred by the disinterested patriot Adams, because of the virtues and qualities you

are known to possess, and for the necessary, prompt, faithful discharge of the duties incident thereto.

The reason of your removal is obvious to all who have noticed the signs of the times and the wanton abuse of power. You had the independence to think and act for yourself and your country, and voted for that distinguished and much-abused statesman, John Q. Adams. You had a heart fitted to appreciate and a mind to acknowledge and generously sustain the private worth and public virtues and patriotism of your persecuted friend, Henry Clay. This was offense enough in the eyes of him who now guides the destinies of these United States,—a sin never to be forgiven by him, whose desperate acts evince a settled determination to destroy the liberties of this country, to fetter the human mind, and to bribe and corrupt the press by official largesses.

A new standard is introduced to decide qualifications for office. The question is not now, as in the days of the republican Jefferson, "Is he honest? is he capable? is he faithful?" No! the only questions now propounded are, "Is he a true *Swiss*? did he vote against my competitor? has he fought for me? has he echoed my slanders against Henry Clay?" You did not suit the powers that be, hence your dismissal from office. Your friends here are anxious to declare to the world, in a suitable way, their estimation of your worth and their detestation of the wanton outrage committed against the spirit of our institutions by your removal from office. They believe you to be incapable of an unworthy act, they know you have always had an eye to the public good.

With these views and feelings, they invite you to this festival. In the event of your acceptance, will you please advise with Mr. Clay, and let us know the time agreed upon?

With sentiments of personal regard, respect, and esteem, we remain your humble servants,

THOMAS RHEA,	A. R. MACEY,
THOMAS PORTER,	ARCHIBALD CAMPBELL,
D. L. SMITH,	DUDLEY ROBINSON,
JOHN M. SHIRLEY,	RICHARD BIBB,
BEN PROCTOR,	ROBERT EWING,
W. STARLING,	ALEXANDER HULL,
JAMES WILSON,	JOHN B. BIBB,
E. M. EWING,	A. P. BROADNAX,
W. L. SANDS,	B. ROBERTS,
M. B. MORTON,	GABRIEL LEWIS.

This tribute from "*Old Logan*" was more grateful to Mr. Crittenden than any other he could possibly have received.

Mr. Clay and Mr. Crittenden accepted this invitation, and

their progress through the Green River country was an ovation. The tariff was the burden of their speeches.

In 1829 Mr. Crittenden was Speaker of the House, and the ardent advocate of internal improvements and the common school system.

(Letter of Mr. Crittenden to Albert Burnley.)

DEAR BURNLEY,—I was gratified by the receipt of your letter of the fourth. With *proscription* on one side of me and politics on the other, I have been compelled, in a measure, to take refuge in the latter. I became a candidate but three weeks before the election. You have heard, before now, that I have been elected. It is a great discomfiture to some folks here. They can never forgive me for the *injustice they have done me*. There are, thank God, but few of these, however. Very many of those who voted against me are well satisfied with my election. They have a story on Charles Bibb, that after voting for Richmond, he jumped immediately off the block and huzzaed for Crittenden! I believe it is true; and I hear it is complained of by our more *faithful* and *zealous patriots*. As I have stepped so far into politics I must go a little further,—I must be Speaker of the House of Representatives. I don't wish to make this public, but I confide it to you, to be used according to your discretion. Mention it to Griffith, and such others as you may please, in your own way, and give me what aid you can. Unless I am very much deceived, I think I shall have but little difficulty in attaining my object. It is the only sort of revenge I feel and seek against my proscribers. I want them to see how much I am indebted to them. Remember me most kindly to all the family, and believe me to be as ever,

Your friend.

(W. S. Archer to J. J. Crittenden.)

WASHINGTON, Feb. 2, 1829.

DEAR SIR,—I derived sincere gratification from the evidence afforded by your letter of the 26th, of your participation in the lively impression I have always retained of our early regard. We have now lived long enough to know the estimate which ought to be put on those regards as compared with those of later formation, in which interest in some form has inevitably so large a share. In our estimate (if I were to judge from your letter) of the reciprocal rights and obligations connected with early amity I should think we differed very materially if I did not know that your sentiments would be the same with mine were our situations reversed and I the person to stand in need of service. Were I even your enemy, or separated by *irreversible* lines of party, you would have had a right to require



of me *as much as you have done*, to speak of *you as you are*, and I should hold myself bound as a man of honor to comply with the requisition. Your early associate has thought that the duty resulting from ancient friendship bound him to *far more*. I have forborne answering your letter from the desire that my acknowledgment of it should be accompanied by something further than the mere general expression of my willingness to serve you. I wished to be enabled to give you information concerning strong presumption of the result of the affair in which you are so deeply interested. I have chosen to wait till I have no doubt. I have now *none*. It is understood that the Senate have had your case under consideration for several days. *You will certainly be rejected!* If the decision had turned on the mere consideration of personal character, you would with the same certainty have been *confirmed*. When I last saw you, you were, I remember, the friend of General Jackson, and I was violently opposed to any proposition for his advancement in civil life. I have the testimony, therefore, of my own consciousness to assure me of the entire uprightness of the change of attitude you have exhibited in this respect, I having been the supporter of the general's election in the last contest. I now regret separation from you, which I would do under any circumstances, the more as it has been connected with the loss of the desirable situation to which you have been nominated. I have during this winter undergone no little mortification in the inefficiency of my zeal in relation to the service of two of my earliest friends, yourself and General Scott. The general will to all appearances *share your fate*.

I am going to be connected to a certain extent with a triumphant party. If I can be of any service, not to yourself personally, but to any one in whom you are interested *for whom you can ask me to exert myself* (you know that this description refers to the *faith* I shall repose in your declaration), rely upon me to do so.

I need hardly say (if my appreciation of you, founded on ancient recollections does not deceive) that you will give credit to the sincerity of this profession. If you have heard anything of me of late, you will believe of "*thine ancient comrade*" that he has not permitted political life and party feeling to *dry up* or freeze over the heart with which you once had acquaintance.

I am sincerely your friend,

HON. JOHN J. CRITTENDEN.

W. S. ARCHER.

(Letter from John Chambers on the subject of Judgeship.)

WASHINGTON, 1829.

DEAR CRITTENDEN,—My constant hope has been that I would be able to relieve your suspense, but the impenetrability of the

senatorial conclave has baffled all our curiosity and kept us suspended between hope and fear for the fate of your *nomination*. I believe the die is cast! They have to-day refused to vote upon the nominations,—this decides nothing but a refusal to act for the present; but the committee have made a report upon the nominations referred to them (observe this is confidentially communicated), in substance “that because there are several propositions for a change of the judicial system now depending, and *because the administration of the government is about to change hands*, it is inexpedient to advise and consent to the nominations now.” What a set of corrupt scoundrels, and what an infernal precedent they are about to establish! My opinion is that your friend Johnson has *gone over*, has not firmness enough to resist or disregard the proscriptions of his party. Amos Kendall is quartered upon him, and although the poor fellow seems to struggle occasionally for a little self-control, they hold him down, and he will be compelled to yield. You have some very zealous friends in the Senate, particularly in Johnson, of Louisiana, and Chambers, of Maryland, but they almost despair, not alone of your nomination, but of all the others made by Mr. Adams. We are all doing worse than nothing here, and I am tired to death of it. We have a rumor that General Jackson is dead, but it is not credited, and I hope it is not true; I would rather trust him than Calhoun!

Mr. Clay is quite unwell. “The Old Quill,” however, is in perfect health, and keeps the machinery in motion, says, “How do, sir?” to everybody that calls on him, and gives his friends a very cordial pump-handle shake of the hand. The moment anything conclusive is done about your nomination I will write to you again. Rest assured that your friends here, powerless as they are, are neither silent nor idle, but take care to be prudent in the midst of their zeal. We have received letters communicating the rejection of Judge Robertson’s nomination to be Chief Justice. Ben Hardin is just the man I took him for.

Your friend,

JOHN CHAMBERS.

(J. J. Crittenden to his daughter, Mrs. Coleman.)

FRANKFORT, November 18, 1831.

MY DEAR DAUGHTER,—I have been long intending to write to you; that I have not done so is not because I have not often and tenderly thought of you; and notwithstanding the excuses with which I am furnished by the almost continued occupation of my time by courts, the legislature, and visitants, I yet take to myself some reproach for not having before written. I have not only thought of you often, but anxiously. You are now in

the most interesting and critical period of your life,—a young, married lady. Your own welfare and happiness, and that of your husband, depend much upon yourself, and your early adoption of those rules of conduct that are suited to your situation. I have never seen a wife who made her husband happy that was not happy herself. *Remember this*, and remember also that the reverse of it is equally true. Kindness and gentleness are the natural and proper means of the wife. There are wives who seek to rule,—who make *points* with their husbands and complain,—ay, scold. To love such a woman long is more than mortal can do, and their union becomes nothing more than a dull, cold, heartless partnership, yielding only discontent and wretchedness. As to your intercourse with and deportment in the world, I feel assured that the delicacy of your feelings and your good sense will dictate to you the proper course. There is a certain dignity and reserve that should always mark the conduct of a married lady; *just enough* of it to proclaim that she is a *wife*,—that she knows what is due *to her* and *from her*, and to repulse and rebuke, without a word spoken, the fops and triflers, and their petty flatteries and familiarities. The wife who would desire to be the pride and happiness of her husband, who would desire the real esteem and respect of society, should never lay aside this reserve and dignity. Esteem and admiration will follow her steps, if her qualities entitle her to them, and she need not seek after them. There is nothing more repugnant to my feelings than a sort of admiration-seeking, beaux-hunting *married woman*. Such conduct shows want of sense and want of taste, if *nothing worse*. I have seen married ladies who had their friendships with particular gentlemen, who visited them with more than common freedom and familiarity. In this there is nothing criminal, but it is wrong,—very wrong. Be not extravagant. You have a husband disposed to indulge you in all things. Show him that you know how to estimate and take care of his interest, and when his kindness and affection should prompt him to any little extravagances on your account, you should kindly check him. Show him that you know how to practice the economy of a lady. Take care of your health, and do not sacrifice it to fashion or amusements. The lacing now in use among ladies would kill you; I pray you not to destroy yourself by such a *petty sort of suicide*!

But enough of this homily for the present. When *this is reduced to practice* I may add something more. You seem to have been chagrined at my not being elected to the Senate! I *could* have gone to the Senate; it was but for me to express the wish and Mr. Clay would not have been the candidate. There was no *collision*, no rivalry, between us. All that was done

was with my perfect accordance. I hope I shall always be found ready to do what *becomes me*. I have done so on this occasion and am satisfied.

We are all well, and wish much to see you. Write to me.

Your father,

J. J. CRITTENDEN.

Mrs. A. M. COLEMAN.

Mr. Crittenden's warm and constant attachment to his friends, and his prompt and frank appeals to them when any seeming estrangement, or apparent cause of mistrust arose, will be exemplified by the following letter to Governor Letcher:

SIR,—In a handbill, published by Mr. James Love, under date of 31st of July, 1831, and addressed to the voters of your congressional district, he represents you as having stated to him "that I was not entitled to the confidence of the party." These terms certainly admit of no favorable or friendly construction, and are calculated to convey imputations altogether derogatory to my character for candor and integrity. From the relations which had long subsisted between us, I had hoped that you would promptly, and without solicitation, have tendered to me some disavowal, or some explanation of the charge and imputations which you had been so publicly represented as having made against me. In this hope, though waiting long, I have been disappointed, and it has now become my duty to ask you for some disavowal that may reconcile my *feelings* and my *honor*. Another reason why I did not make this application to you before now, and before you left Kentucky, was the fear that it might, in its possible consequences, lead to some exasperation, or renewal of the quarrel between Mr. Love and yourself, a result I should have greatly deprecated. That quarrel was to me a matter of deep regret; of its merits I may say I *know nothing*, and it is my wish to remain ignorant. I have known Mr. Love long, and esteemed him as a friend and man of honor; but I may still entertain the hope that he misunderstood your language and meaning in reference to me. I will further hope that your answer to this letter will be so full and satisfactory as to efface from my mind every unpleasant reflection and remembrance of the subject; such as will permit me honorably to resume and cherish those feelings of friendship I had so long indulged towards you. It is right, perhaps, that I should add that I did *not* receive from Mr. Love the handbill alluded to, nor was it through him that I became aware of its contents.

Yours, etc.,

J. J. CRITTENDEN.

(R. P. Letcher's Reply.)

HOUSE OF REPRESENTATIVES, April 10, 1832.

SIR,—To your letter of the 1st, this moment received, I respond with pleasure. The statement imputed to me in the handbill of the 31st of July last, of having declared that you were not entitled to the confidence of the party, is without any foundation. With this disclaimer, I might perhaps stop; but from the kindly relations which have so long and uninterruptedly subsisted between us, and which have, on my part, always been cherished with pleasure, combined with the fact of the active frankness and propriety of your communication, I feel justified, in the same spirit of frankness, in saying, as an act of justice to you as well as to myself, that I never entertained such a sentiment, and am not aware that it was *ever entertained* by any one of your personal or political friends. Of the unfortunate differences which sprang up at the last election I shall say nothing; but I will say the only incident connected with it in any degree, for which I reproach myself, is in not writing you a letter, containing, in substance, what I have now written; but the truth is, I conversed with some five or six of our mutual friends, with whom you were in the habit of constant and intimate intercourse, particularly with a view of making known to you my disavowal of the expressions referred to, and had supposed this had been communicated to you. I should regret exceedingly to do anything, or to *omit anything*, which would alienate a friend, or inflict the slightest wound upon his feelings. I think I may say of myself, that I am not wanting in attachment, in zeal, or in fidelity in friendship, and I do, therefore, reciprocate sincerely the hope expressed in the conclusion of your letter.

With great respect,

R. P. LETCHER.

During the sixteen years in which Mr. Crittenden was absent from Washington, between the resignation of his seat in the Senate in 1819 and his return to Washington in 1835, he was almost constantly engaged in the diligent practice of his profession,—this was, indeed, his principal means of support. During this time a murder was committed in Frankfort, where he resided, which led to great bitterness and excitement. Sanford Goins was the name of the prisoner, for whom Mr. Crittenden appeared as counsel,—I have forgotten the name of his adversary. These two men had grown up in the same town, and had, perhaps, been acquainted all their lives; but there was *bad blood* between them, produced, no doubt, by small and insufficient

causes in the beginning. I doubt if they could themselves have accounted for their animosity. Matters grew worse and worse between them, and finally Goins heard that his enemy had threatened his life. From this time he was forever on the watch, and found himself dogged and waylaid at every corner,—at morning, at noon, and nightfall: whatever corner he turned, or street he entered, the man stood before him. Exasperated and half crazed by this, Goins came out of his house at a very early hour one morning, and the first object he saw was his adversary on the other side of the street, opposite his house. Completely carried away by passion, Goins seized a stick of wood, pursued and caught up with him, and being a much more powerful man, he literally beat him to death with the wood. These are the circumstances of the murder, so far as I can remember them, but their accuracy is not very important. Goins was tried for murder, Mr. Crittenden defended him, and he was acquitted, and is, I believe, still living. The case, and Mr. Crittenden's argument in favor of the criminal, were much discussed at the time. The most effective ground taken by him in favor of the prisoner was, "that a man had not only a right to live, but to be happy," and that for many months Goins's life, so far from being a blessing to him, had been an unspeakable torment. There had been no moment, night or day, free from the apprehension of sudden and violent death. He could not enter his own door at night without finding this, his enemy, skulking around the corner; he could not leave his wife and child, with the sunrise, to go to his daily work, without seeing this terror before his door. Was it any wonder that he had been driven to frenzy and to a deed of blood by such a life? Prejudice was, I think, very strong against Goins in the beginning of the trial, but under the influence of Mr. Crittenden's eloquence and the masterly manner in which he pictured the horrors of Goins's life, during the months which preceded the murder, public opinion veered round completely, and Goins was not only acquitted, but received back into the community with sympathy. This may seem rather a trivial detail and Mr. Crittenden's argument of but little value, but it made a great impression on the audience and the jury. In my after-life, when I saw men and women oppressed and terrified, I have remembered that we had all a right

to life and an equal right to be *happy*. The last great claim, however, is often weakly yielded to the strong hand of power, and often trampled underfoot.

About this time Mr. Crittenden's brother Thomas was very ill in Louisville, and he was summoned to his death-bed. His family affection was very strong, and the death of this brother was felt for years. The following letter was written at his brother's death-bed :

(J. J. Crittenden to his wife Maria.)

LOUISVILLE, Tuesday, December 25, 1832.

MY DEAR WIFE,—Prepare yourself to hear the worst. My brother Tom is still alive, but that is all ; a few hours is all, perhaps, that remain for him. All human aid seems to be in vain. I never knew, till this affliction taught me, how dearly I loved this dearest, best, and noblest of brothers.

Death has no horrors for him, and if ever a Christian proved his faith by a triumphant death, he is doing it.

'Tis but a few hours now till the arrival of the stage from Frankfort. If Mr. Edgar comes in it he may arrive in time,—he is most anxiously looked for.

J. J. CRITTENDEN.

Mrs. MARIA CRITTENDEN.

## CHAPTER VII.

1832-1836.

Letters—Appointed Secretary of State in Kentucky in 1834—Letters—Benton's Resolutions as to Fortification—Letters.

(James G. Birney to J. J. Crittenden.)

DANVILLE, February 11, 1836.

DEAR SIR,—I little expected when I had the pleasure of seeing you in Frankfort that we should so soon have to lament the loss of our amiable and distinguished fellow-citizen, Judge Boyle. I lament it not only on grounds common to our countrymen generally, but because he was an interesting and pleasant companion, and we concurred in opinion on the subject of slavery, and as to the means of accomplishing the relief of our State from its suffocating pressure. Just before I went to Frankfort, I had a free conversation with him in reference to it. He was then considering favorably an invitation, which our newly-instituted society for the relief of the State from slavery had given him, to act as its presiding officer. I doubt not, had he lived, that he would not have hesitated, after hearing that you had consented to serve as one of our *Vice-Presidents*. Last Friday, our board of managers came to the decision of tendering to you the station which had been offered to our distinguished friend who has been removed from us. Our secretary, Mr. Green, told me he would write to you on the subject immediately. I know not, my dear sir, that I ought to calculate on exerting any influence over you. If I *have* any, *however* small, I will hazard its exhaustion in a cause like this, where intelligent patriotism and enlightened philanthropy have such lofty conquests to achieve and such pure rewards to reap. I trust, sir, it will not be in vain that I have added the earnestness of private solicitation to the official tender that will be made, especially when, I doubt not, I shall be warmly seconded by your excellent lady. I propose bringing the whole subject before the public in a series of letters addressed to the Hon. Charles A. Wickliffe. They will be untainted with anything like bigotry, or fanaticism, or uncharitableness towards those who may dissent from my opinions. Indeed, I propose treating the subject entirely in its political aspect. May I ask of you to



use such influence as you may have with the Frankfort editors to secure their republication?

Your friend always,  
JAMES G. BIRNEY.

In 1834 Mr. Crittenden was appointed Secretary of State in and for the State of Kentucky by James T. Morehead, Lieutenant-governor, then acting as governor of the State.

In 1835 he was elected to the legislature, and returned to the Senate.

As one of my objects is to portray the character of Mr. Crittenden, pronounced even by his opponents as worthy of all admiration and imitation, I give below a letter written by him to one of his most intimate friends at this time, and showing the sentiments with which he entered upon this contest:

FRANKFORT, May 2.

DEAR BURNLEY,—The bell is now ringing to warn us that this is the Sabbath-day, and summon us to church. I must steal a few moments to write to you.

I am a candidate,—you have seen it announced. My confidence of success is *strong* and *decided*. Still, the struggle is to me most disagreeable, and it would have been satisfactory to me to devolve it on any other of my political friends. It was urged upon me, and there seemed to be no alternative but to re-engage in the contest or to see the field yielded without an effort. Pride, principle, both forbade this! If I am beaten, it shall be my consolation that I was doing what I believed to be my duty,—struggling to the uttermost for a good cause. It is but a poor expression of my feelings to say that I thank you for the kindness and friendship which mark all your conduct and sentiments towards me. There are some feelings of the heart which the tongue cannot utter, that it ought not indeed to utter.

As to the Senate of the United States, I cannot now tell you whether I shall be a candidate or not; on such a subject I would have no secrets with you; my course in this matter will depend upon circumstances. I do not seek it. But if it should be the work of my friends, if it should appear that my name can be used with a greater prospect of success than another, then I will be a candidate.

This is my view of the subject, and I cannot determine positively till after our general elections in August.

If there be any other friend who would be as acceptable as myself, and who was anxious to go to the Senate, I would not have any collision which might disunite us. I would wish to

be the foremost to sacrifice personal pretensions for the sake of union. As I intend, however, to possess you fully not only with a knowledge of my feelings, but of my expectations in relation to this subject, I tell you in confidence that I think it probable circumstances will make me a candidate. If I were even now determined to be a candidate it would be impolitic to avow it, for good reasons which will occur to you. It would interfere with the wishes of others, and weaken their exertions in the common cause, which I have much more at heart than any selfish purpose of my own. My friends might express their wishes and speculations, and make preparation for the probable event of my being a candidate. Of one thing be certain, I have no secrets with you, and as events occur which may influence my feelings and determinations, you shall hear from me.

That we should have a majority, a decided majority, in the next legislature, is of the *highest* and *most* decisive importance. For God's sake, exert yourself to the utmost, and animate our friends all around you! One spirited, united, and patriotic effort will settle the course of Kentucky. Union is our strength and our hope of success; I go for that; cannot therefore pledge myself to any particular course as to the speakership. Many will have to be consulted; I cannot commit myself to Calhoun or any one; I wish to be free to do my duty, as it may appear to me at the time.

I am your friend,

A. T. BURNLEY.

JOHN J. CRITTENDEN.\*

(J. J. Crittenden to Orlando Brown.)

WASHINGTON, December 27, 1835.

DEAR ORLANDO,—Your favor of the 18th was received last night, and afforded me so much satisfaction that I hasten to show my gratitude by an immediate reply. I don't value all the politics of your letter in comparison with the domestic news you give me. All that concerns my *home* and my friends delights me. Distance lends an *enchantment* to it all. You could not have chosen any two *heroes* for your story whose achievements would have been more interesting to me than my two little boys, John and Hick. I am glad to hear that Mason and his wife have been dining with my wife. Washington cannot afford me so happy a day as I *should* have enjoyed if I could have been present with you all. Present sundry congratulations to Mason on his marriage. To such a wife as he has been fortunate enough to get, I hope he will make a *dutiful and obedient husband*. *As to politics, curse politics!* Webster's pre-

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\* Mr. Crittenden was elected to the Senate, and took his seat 4th March, 1835.

tensions are considered virtually at an end ; but, as yet, he says nothing, and, as far as I can hear, his course is not ascertained. He deserves the kindest and most respectful treatment from the public on the occasion, that he may fall like a great man. Harrison's friends here dread nothing more than that White should be scared off the field, or his friends discouraged from giving him a zealous support, and perhaps relapsing into Van Burenism. To avoid this is a point of obvious policy, and I think it is neither right nor politic to exaggerate Harrison's prospects at the expense of White's. According to my best information as to the existing state of public opinion, White may reasonably calculate on receiving as many electoral votes as Harrison. Besides Virginia, and his Southern interest, he is at present stronger, and has a better chance, than Harrison for Illinois and Missouri. At this moment of some alarm with him and his friends, it is better to increase than diminish their hopes. This will open to your view the whole *pith* of the matter, and you can act on it according to your discretion. I see no alternative for you but to have a convention to nominate candidates for governor and lieutenant-governor, and *electors also*. Morehead *must* be the candidate for governor ; he is *indispensable* to the present crisis, and no excuse ought to be taken from him. I agree with you that Letcher is the man for lieutenant-governor, the very man, and will give more strength than any one you can select. If it comes to a serious struggle (and that you must prepare for), you will find him more efficient than even you yourself suppose. He is essentially popular in his talents, habits, and manners, and of capacity far beyond what is generally ascribed to him in Kentucky.

Your friend,  
J. J. CRITTENDEN.

ORLANDO BROWN, Esq.

On the 22d of February, 1836, Mr. Crittenden made a speech against the adoption of Mr. Benton's resolutions on the subject of national defense and the fortification bill, which had been defeated in 1835. Mr. Benton had charged the Senate with neglecting proper measures for the defense of the country. Mr. Crittenden said, "The Senate needed not his poor vindication ; it was the same Senate that had maintained for years the noblest struggle for law, liberty, and the Constitution ; belonged to history, whose brightest pages would be illumined with the names of those illustrious senators who had been foremost in that great struggle. In the *great reckoning* on which judgment

would be pronounced upon them, the fortification bill of the last session would be an insignificant item. It appeared, however, that to vote in favor of the resolutions seemed to be the only admissible evidence of patriotism." The first distinct proposition was, that the *entire surplus* revenue should be applied, *exclusively*, to warlike preparations. As amended by Mr. Grundy, the resolutions secure *only so much* of the revenue as may *be necessary*. Mr. Benton accepts the amendment readily, as it is only a change of phraseology; Mr. Crittenden was opposed to the system; thought it unwise and improper. The money was the product of peace, and peace had claims upon it; he thought a portion of it should be returned to the people to increase their sources of national wealth; this scheme confined the whole expenditure of the revenue to the seacoast, cutting off the western and interior States from their hope of an equal distribution of the public money. Mr. Crittenden did not cherish sectional feeling; the whole of the United States was his country, but he could not forget the special interests of his section and his constituents; he did not believe in fortifications as means of defense. The sure defense of nations was the courage, intelligence, and patriotism of the people. We had had wars and rumors of wars, but we should not, for that reason, be always clad in steel, and oppress ourselves with the weight of our own armor. Mr. Benton, in alluding to our difficulties with France, had said, "We were in a *naked, miserable, defenseless condition*." This filled Mr. Crittenden with surprise. For seven years the administration had been in the hands of a President *renowned in war*, and the senator from Missouri had been one of its proudest supporters. Is it not, then, surprising to hear that the country is in a "naked, miserable, defenseless condition?" In this particular, Mr. Crittenden said, *He* must be the vindicator of the administration. The Senate was not responsible for the fate of the bill; its loss was owing to "*scruples of conscience*" on the part of members of the House, who were not willing to *act* after a certain hour on the last night of the session. Mr. C. thought it must be consolatory to its patriotic friends, who mourned so eloquently over its fate, to know that it "*died for conscience' sake*." Neither Washington, Adams, Jefferson, nor Madison, nor any former Congress, had indulged in such scruples:

"the ways of conscience were inscrutable and past finding out;" she had made her *compunctious visitings* at the witching hour of twelve, when conscience, *long pent<sup>u</sup>p* and clogged with the politics of a whole session, would most naturally break out. Mr. Benton had alluded to the probability of a war with France. Mr. Crittenden did not believe war could be made out of such slender materials; he had been anxious to know what measures were proposed by the executive, and had turned a listening ear to the senator from Tennessee, Mr. Grundy, a distinguished supporter of the administration, when he arose and announced that "he would *declare frankly what he was for*." This promised, frank avowal was, simply, "that he was not willing things should remain *exactly as they were*." Willing to reciprocate all good offices with Mr. Grundy (formerly an old Kentuckian), Mr. Crittenden imitated his frankness and declared, conscientiously, "*that he was not willing that things should remain exactly as they were*." "Sir," said he, "we have seen the senator from Pennsylvania, that land of honest peace and honest industry, *rebuking* General Jackson for his '*too great moderation*.' Nothing can be added to *that picture*. The gentlemen think it is indispensable to our dignity to *compel* France to pay the sum of money which, by treaty, she owes us. I have not sensibility enough to discover that the *honor and dignity* of the country is concerned. This question affects our *interests* and not our *honor*." Mr. Crittenden agreed with the senator as to the fact that France did owe us five millions of dollars; but, he asked, "Should we go to war *for that*? A war with *whom*,—for what? *With* France, our *first*, our ancient ally! France, whose blood flowed for us, flowed with our own, in that great struggle which gave us freedom. A war for money,—a paltry sum of money! He knew of no instance among civilized nations of war waged for such a purpose. *If* among the legitimate causes of war, it was surely the most inglorious; can afford no generous inspiration; must ever be an ignoble strife; on its barren fields the laurel cannot flourish; but little honor can be won in the sordid contest, and even victory would be almost despoiled of her triumph! But imagine that the *little purse*, the *prize* of war and carnage, is at last obtained. There it is! stained with the blood of Americans and Frenchmen, their

ancient friends and allies. Could we *pocket* that blood-stained purse without emotions of pain and remorse?" Mr. Crittenden hoped and believed that we would be saved from the calamity of war with foreign nations, and would enjoy more harmony in our counsels at home.

(Mr. Crittenden to O. Brown.)

WASHINGTON, March 13, 1836.

DEAR ORLANDO,—I have yet to thank you for your letter of the 11th. If I were to rate the obligation by the pleasure it gave me, I do not know how I should ever discharge it. The description you gave of my wife and children, excited by the flattering intelligence of me, which you had furnished to them, was both painting and poetry to the heart of such a man as I am. It was a picture to bring together a smile and a tear upon a husband's and father's face. I am not willing to confess, even if it were possible to communicate, all the feelings it aroused in me.

Permit me to tell you how much I enjoy the sentiment expressed in your letter when you say, "As for myself, I do feel as if I was bound to you and yours as strongly as if there was a tie of blood between us," etc. But I must quit this subject or become altogether too sentimental.

Mangum is all you have described him to be. Through your means we found ourselves well acquainted upon our very first meeting, and have ever since been good friends. We talk often of you,—the captivation seems to be mutual. Leigh, too, is a noble fellow; I almost envy him the patriotic eminence of his present position, and never did man meet his fate with more unpretending integrity and fortitude. There is no parade in the course he has taken; not a spark of pretension or ostentation is visible. The conduct he has adopted seems to be the natural result of native truth and virtue.

"There is a daily beauty in his life" which makes these *expungers* of the Constitution, who are assailing him, look uglier than ever to my sight. I think you will sympathize in all these feelings, and I shall be proud to see in the *Commonwealth* one of those felicitous articles on the subject which I might show to Leigh. We have a temporary calm just now in our congressional proceedings. The French question has passed by, and the agitation produced by the recharter by Pennsylvania of the Bank of the United States has subsided. The discussions upon the petitions of the Abolitionists have become stale and worn out. Clay's land bill and Benton's fortification bill are, I presume, the next subjects to break the calm.

There are some here who entertain hopes of the passage of the land bill; for my own part, I anticipate nothing so good; party spirit has paralyzed Congress to too great an extent! Van Buren's election to the Presidency is, with many, a much more important object than the public good, and so, too, perhaps, is his defeat with some of his opponents. With respect to the coming controversy, I can tell you nothing more than you already know. Webster is still standing in the field, though he can hardly be considered a competitor. My confidence in him leads me to believe he will do what is right and proper. Harrison's interest in the North is manifesting itself more strongly than was expected, and every day confirms the impression that Pennsylvania will certainly go for him. The opponents of Van Buren here, from every quarter, are confident that a majority of the people are against him, and that the only chance of his success is in their divided and distracted condition. Why did not our friends in Kentucky nominate Granger when they did Harrison? I see that some of our papers in Lexington have come out for Tyler.

Upon every principle of policy, we should rather gratify Pennsylvania and the Anti-Masons of the North, by taking Granger. I do not like to turn my thoughts to your late actings and doings in Kentucky. The distance has somewhat broken the effect upon me, but still I am grieved in spirit at some events. They denote, I fear, even more than a want of union,—a bad spirit has gotten up among you; but let me say no more of things which I cannot mend.

Give my *love* to your wife; yes, my love. I do feel that I love everybody in Frankfort, and if this is so, I am sure I must love her very dearly.

Your friend,  
J. J. CRITTENDEN.

ORLANDO BROWN.

(J. J. Crittenden to his wife Maria.)

SENATE CHAMBER, April 8, 1836.

MY DEAR MARIA,—I write merely for the pleasure of writing to you; it is a sort of mental association that is the best consolation for actual absence. I have nothing to write, unless I should write in the strains of a *mere lover*, and I suspect you have already had so much occasion to laugh at me for that, so I ought to be a little cautious how I proceed in that melting mood.

I am quite amused to hear of what you all *call Hick's badness*. I suspect he is more petted than whipped. Eugenia writes, "Poor Hick is whipped almost every day for *cursing*," and then adds,

"He is a most charming fellow." I suspect he is a spoiled chap, and that I shall have work enough to reform the young gentleman.

But I must attend to the business of the Senate, so farewell, my dearest Maria.

Yours,  
J. J. CRITTENDEN.

Mrs. MARIA CRITTENDEN.



## CHAPTER VIII.

1836-1837.

Mr. Webster's Visit to the West—Anecdote told by Mr. Evarts—Letters.

IN 1836, Mr. Webster visited the West, and came from Lexington to Frankfort to see Mr. Crittenden. He was his guest for some days at that time, and received from the yeomanry of Franklin County the usual compliment paid to distinguished visitors in that locality, "a barbecue," or, as it was called at that time, "a bergoo." This was regarded as an unusually great occasion, and extensive preparations were made to do honor to Mr. Webster. The men were rallied far and wide, and a mighty gathering was the result. The place honored by custom for this Kentucky festivity was about seven miles from Frankfort, on the farm of Mrs. Innes, the mother of Mrs. Crittenden. A romantic little stream called Elkhorn wound about through the woods near the house, and in the dense forest along its borders the Kentucky host assembled. I cannot explain the origin of the word "bergoo;" the feast differed from a "barbecue," in that it was more primitive. Immense iron pots were kept on hand in some secluded spot, ready for such occasions, and each man was expected to bring his own tin cup and pewter spoon. "Bergoos" were always the order of the day when summer vegetables abounded; only one dish was prepared, but it was savory as the mess brought by Esau to his father, the blind patriarch. All the birds and squirrels round about were shot, prepared, and thrown indiscriminately into the large pots; then all the farms and gardens in the neighborhood were put under contribution, and young corn, tomatoes, peas, beans,—in short, every vegetable that could be found, was added. All this boiled away vigorously till the salutations of the day were over, family news told, and kindly questions asked and answered. The business of the day (which was making speeches

and listening to them) concluded, then all present gathered around the steaming pots, cup and spoon in hand, to receive their portion. I don't remember that I ever tasted this famous broth, but it perfumed the woods, and I know that every one "asked for more." There was no distinction of persons on these occasions, except that the orators of the day and the visitors were first served; but a tin cup and a pewter spoon were the only implements. Mr. Webster was accompanied by his wife and daughter Julia, afterwards Mrs. Appleton, and on the great day of the feast we drove out to Mrs. Innis's. After resting at the house, we walked over to the camping-ground. Mr. Webster was received with shouts that almost rent the heavens. He was welcomed in the usual form, and called upon for a speech, which he made in his inimitable style. Mr. Crittenden, knowing *his boys of old*, feared that he also would be called upon for a speech. Before Mr. Webster concluded, he was seen quietly and stealthily withdrawing to the outskirts of the crowd, and concealing himself at last behind a tree.

One amusing feature of this occasion was seeing Mr. Webster accommodate himself to a stump. This was not the kind of platform he was accustomed to, but he would not have been equally acceptable in any other position. I suppose he had never felt his footing so insecure, but, being a quiet speaker by nature, he got through like a man and a Kentuckian. After the conclusion of Mr. Webster's speech, a great shout arose for "Crittenden! Crittenden! Crittenden!" The crowd swayed backward and forward, the merry laughter of those near his place of concealment betrayed him, and he was literally dragged out and passed over the heads of the people to a tall stump, and *put down gently*. Such a triumphant shout of victory was rarely heard on any battle-field as arose when this was accomplished. Mr. Crittenden was laughing so heartily that it was some time before he could utter a word. I shall never forget Mr. Webster's expression on that day,—amazement and amusement contended for mastery. Those who were acquainted with Mr. Crittenden have not forgotten the intensely humorous expression of his countenance when hearing or relating a good story. On this occasion his mirth was contagious. He peremptorily declared he *would not make* a speech, made a comic appeal to "*his boys*"

"not to force him to hold up his little lights while greater lights were shining;" he declared that "there was not a stump within five miles that did not bear the marks of his footsteps." This *plea* seemed to touch "*the boys*,"—they behaved well, letting him off for that time, although I verily believe they would rather have heard him speak than Demosthenes or Cicero.

Before leaving the ground, many pressed forward to take Mr. Webster by the hand and to say a word on the great political questions of the day. Every man in Kentucky was a politician, and those mass-meetings were political schools for uneducated men. They listened with intense interest to public speaking, and were, many of them, natural orators. In returning to town, one of my sisters and myself occupied the same carriage with Mr. Webster. During the drive he spoke almost exclusively of Mr. Crittenden, and pronounced an eloquent eulogy upon him. Among other things he said, "Mrs. Coleman, your father is a great and good man. Great men are not difficult to find, but a great and good man is rarely seen in this world. Mr. Crittenden is a great and good man."

In 1868 I was in Washington, and was introduced by Senator McCreery to Mr. Evarts, then Attorney-General of the United States. Mr. McCreery introduced me as the daughter of John J. Crittenden, and I received from Mr. Evarts a cordial grasp of the hand and a touching allusion to my father's public character and private worth. I told him in the course of this conversation that I was collecting materials for a life of Mr. Crittenden, and asked for his assistance. He encouraged me in my purpose, and expressed the conviction that such a book would be gladly received by the public, and promised me to write out some reminiscences, which he hoped would be useful. In this connection Mr. Evarts told me this anecdote: "At the very outset of my professional career I was associated with Mr. Crittenden as counsel in the famous trial of Monroe Edwards for forgery." (Monroe Edwards was a Kentuckian, his parents lived in Logan County, where he was born, and where Mr. Crittenden commenced the practice of law. Mr. Edwards's family were among Mr. Crittenden's most intimate friends, and Monroe had been, in boyhood, one of his special favorites. In this case, as, many years later, in the Ward trial, Mr. Crittenden came

forward to exert his best abilities in the service of his old *friends*.) "Mrs. Coleman," said Mr. Evarts, "I shall never forget that trial in connection with your father. I was a young man on the threshold of my professional career, and your father's reputation was firmly and widely established as a lawyer and a statesman. His cordial manner throughout the trial is most gratefully remembered by me, and at its close he asked me to take a walk with him. During the walk he took a slight review of the trial, complimented me upon my course during its progress and the ability he was pleased to think I had manifested, and in conclusion, grasping my hand with warmth, he said, 'Allow me to congratulate and encourage you on the course of life you have adopted. I assure you that the highest honors of the profession are within your grasp, and with perseverance you may expect to attain them.' Those words from Mr. Crittenden would have gratified the pride of any young lawyer and given him new strength for the struggles of his profession. I can truly say they have been of the greatest value to me through life. When I came to Washington to take part in the defense of President Johnson, the associations of the senate-chamber recalled the memory of your father's words and renewed my gratitude for his generous encouragement of my early hopes."

(R. P. Letcher to J. J. Crittenden.)

LANCASTER, May 3, 1836.

DEAR CRITTENDEN,—I thank you for your favor of the 23d. It found me alone in the portico, taking a quiet chew of tobacco, in rather a melancholy, desponding, painful temper of mind at the prospect ahead, at home and abroad. After reading it, my spirits became animated to such a degree that I have felt cheerful ever since. Indeed, I may say that I am, at this moment, quite an amiable, agreeable, entertaining young gentleman. *Hope*, even a *faint hope*, of success is enough to encourage me in the present struggle. I can bear anything but despair growing out of division in our own ranks and the miserable selfishness of our friends. Defeat is nothing to compare with such a state of things. This desire of being *captain* or nobody, "aut Cæsar aut nihil," ruffles my *sweet temper*. I hate and abhor such an abominable principle of action. "Make me captain; if you don't, I'll be *mad*, and will do nothing in favor of my own principles." This is too bad to be thought of. It is, in fact, nothing

more nor less than the ravishment of a whole party. It may be that Judge Clark can be elected governor, but I am not without apprehensions; I would not consent to run if he were *ruled off*. I knew if he *went off* in any other way than by his own voluntary consent, he would go with a dissatisfied set of friends, who would be happy to see any one beaten that took his place. I shall use every fair and strong means to elect him. I acknowledge to you I am vexed at his perverseness; not because I wanted to run myself. Our Van Buren postmaster, returned from a tour through the mountains day before yesterday, reports that Flournoy will beat Clark in that portion of the State. Unless a vigorous effort is made we shall lose the race. It would be well to call all our delegation in Congress together, and let each man determine to write six letters every twenty-four hours to his district, in relation to the election of governor. I mean *all except* Ben Hardin; I should leave him to himself. Meet in the committee-room, and let each man *pledge himself* to do his duty by writing letters forthwith. One Congress letter is worth a dozen letters from a *private*. I am sincerely gratified to hear that Webster is upon the *recovery*. The truth is I had almost brought my mind to the conclusion that his case was hopeless. I like him, but he is no such man as Clay; he is most certainly a *very great man*, and possesses many of the highest traits of character, but his ambition is a little too much mixed with *self-love*. Clay is more elevated, more disinterested, more patriotic, and he is always ready to surrender it for the possible hope of promoting his country's good. The conduct of Mr. Adams, and the verdict of the country against him, has had a good effect upon Webster. Say to Bankhead everything that a warm-hearted Kentuckian feels; drink a good glass of sherry with him *for me*, and a glass of champagne with his charming lady. I shall not forget to write to his *Majesty*, suggesting the propriety of making him a *full minister*. No doubt he will promptly obey my suggestions, as he has never refused me the first application yet. I would tell you many pretty things the public say about you, but knowing you will just do what I have done very often, throw aside a long document and never think of it again, I will reserve all that until I see you.

Truly your friend,

R. P. LETCHER.

Hon. J. J. CRITTENDEN.

(J. J. Crittenden to his son Thomas.)

WASHINGTON, Dec. 10, 1836.

MY DEAR SON,—I received your letter of the 25th, from New Orleans. After a journey as little fatiguing as possible we

arrived here safely. Your little brothers, John and Eugene, are with their grandmother. Our wide dispersion is painful to me, and would be intolerable but for the hope that it is for our common advantage, and that we shall meet again under happier circumstances. In parting with you, my dear son, I have made a great sacrifice of feeling for what I hoped might be for your good. Whether this shall be so or not depends, to a great degree, on your own exertions and good conduct. The object nearest my heart, that engages my pride and my affections, is the well-doing and reputation of my children. Of you I indulge the best and proudest hopes. I have all confidence in your principles of integrity and honor, in your manliness, firmness, and capacity. All that gives me uneasiness is the thought of your youth and inexperience. The scenes in which you are cast are full of evils and temptations. When I think how many of maturer age have fallen victims to these temptations, I cannot help asking myself, with trembling anxiety, Can my boy *resist and overcome them all*? Can his naked and inexperienced feet tread successfully the path that leads through the midst of such dangers and temptations? Has he the good sense, the virtuous resolution, the noble, manly ambition to turn away from the vices and seductions that will beset and surround him, and look only to the more distant, but *sure reward* that will crown his life with prosperity and honor? In the pride and confidence of my heart I answer these questions thus: "My son has the sense, the courage, the virtue to triumph over these difficulties; that he *will do so*, and his father's heart be gladdened by his course of conduct." You are thrown upon the world at an early and dangerous season of life. Your constant sense of propriety must be your *guide*. Your situation demands discretion beyond that which ordinarily belongs to your age; you must, therefore, make your conduct the subject of daily *self-examination*. A few *principles and rules* of conduct, firmly fixed in your mind and acted upon, will insure your safety and success. Consider *truth and integrity inviolable*! Be *zealous*, be *faithful* to a *scruple*, to a hair's-breadth, in all business confided to you. Be not *forward* to take offense, or to cherish a false pride. Do not look upon your *duties* as *degrading*, but rather make the *cheerful performance* of them your *distinction and honor*! Be frank, open, and candid. Practice no dissimulation. Encounter any *consequences*, any *sacrifices*, sooner than utter a *falsehood* or do a dishonorable act. In this, let your pride and resolution be *fixed* as a rock. Do not frequent the *haunts* of the *idle and dissipated*. Be not seen at any *gaming or drinking house*! Even the suspicion arising from such things will be a *stain* upon your character, and impair confidence in you. In the perplexities of

business, your employers may sometimes *act* or *appear* to act unkindly. Do not take such things for offenses, but behave with *deference* and *respect*, and you will advance yourself in their good opinions. Apply your own good sense to all that I have so imperfectly written, and you will be able to adopt some valuable rules for the government of your life. I request that you will preserve this letter and read it *once a week* for the *next three months*. Mr. Erwin has promised me to be your friend, and he can be a very important one. Omit nothing in your power to obtain his good opinion. I have observed that you sometimes have the appearance of *sternness* in society. Correct this,—cheerfulness and smiles better become your age, and are, I am sure, more congenial to your natural disposition. I wish you not only to be an accomplished merchant, but an accomplished gentleman. The *manners* of such a gentleman are always *unaffected* and *natural*. Write often.

Your father,  
J. J. CRITTENDEN.

In 1836 the whole country was suffering from pecuniary difficulties, and it was believed by Mr. Crittenden and his political friends that this embarrassment in the general circulation of the country was the consequence of the *Treasury Circular*. Under this order all the specie was collected and carried into the vaults of the deposit banks. Mr. Crittenden thought the great commercial cities, where money was wanted, were its natural depositories. He contended that when specie was forced by treasury *tactics* in a direction contrary to the natural course of business, it was in exile. Men might be deluded on the subject, and while the *mystification* lasted, the "*Treasury order*" might be held before the eyes of men as a splendid financial arrangement. Like the natural rainbow, it owed its very existence to the *mist* in which it had its being. The moment the atmosphere is clear, its bright colors vanish from view. The senator from Missouri charged that the *distribution bill* had done all the mischief. Mr. Crittenden bore cheerfully his share of the rebuke; he was proud of having been instrumental in getting so beneficial a bill passed. As to the honorable senator's bill, relative to the expediency of making gold and silver *only a tender* in payment for the public lands, on motion of Mr. Ewing, it had been laid upon the table. In that inglorious repose it remained; but no sooner had the Senate adjourned than the measure was

brought forward and furnished materials for the "Treasury order." Legislative authority was supplied by executive authority. Mr. Crittenden wished to know if a few individuals were to determine such questions of policy involving the interests of the country far and wide. He thought they were questions for Congress. Mr. C. objected to *what* was done, and to the *manner* of doing it. The order should be rescinded, it encroached upon the power of the Senate, increased the power of the executive. There should be no discriminations made between purchasers of public lands in regard to payments, and no discriminations between debtors for public lands and all other public debtors. "Where is the right to demand payment in the terms of the 'Treasury order' found? No such right exists. Even if it be conceded that *Congress* has the right to make such discriminations, has the executive such power? The order is illegal and beyond the power of the President. I thought at first," said he, "that there would be no great difficulty in transporting specie to the West from the great cities of the North, by means of *railroads*. I understand now, there is a much better scheme in operation. Suppose a man in the city of Washington intended to go West to purchase land; he would take a draft to the Washington Bank and present it, and would be asked what kind of money he wanted? '*I want specie.*' Then a little keg is taken out and *wheeled* from the bank to the Treasury. Of this fact I have been informed by a gentleman on whom I rely implicitly. Well, this same *little keg* has been so frequently *backwards and forwards* on the same errand that it has become ridiculous to the people in the Treasury Department. It had been rolled *to and fro* so often for a distance of only sixty yards, that upon calculation it had traveled eleven hundred and odd miles. The officers of the country have undertaken, like common porters, to transport money across the country. Pecuniary difficulties do now exist to an alarming degree. The honorable senator spoke lightly of a *panic*. A little starveling *panic* had the honor of dying by the hand of the senator, and is this all the comfort that a distressed community is to receive? The honorable gentleman loves this 'Treasury order,' and the pressure produced by it is to be called a *panic*. This term *panic* has been found useful when



argument was wanting, and by this sort of senatorial cry of *panic* the country must be pacified. Does your statesmanship go no further than this? A little *panic* gotten up by the certifiers of General Jackson's enemies. The gentleman thinks there is a party in this country, whose origin he traces up with the skill of a political genealogist to the days of Alexander Hamilton, who *hate gold and silver*. I assure the gentleman I am am not one of the *haters of gold and silver*. These rascal counters I have a great affection for. The haters of gold and silver are not to be found among politicians. Those who wished the bank rechartered were the friends of gold and silver. Congress is not bound to think the order right, because the President thought it right." Mr. Crittenden could see no occasion for adopting the language of the senator from Missouri, indicating gratitude and *thanks* to the executive for causing this "Treasury order" to be issued; he would respect the executive in proportion to his fidelity and wisdom in the discharge of his duty. There is no necessity for treating him as a demigod. In 1838 Mr. Crittenden spoke against the new Treasury notes; he considered this only a new form of national debt. The people were deceived, while the government moved softly on, *fed fat* by the facility with which it supplied itself with means. He thought if it took ten millions of extraordinary supplies every six or eight months to keep the administration on its legs, the sooner they were recorded on the bills of mortality the better for the people. The cry of this magnificent administration was still "*Money! money!*" but for his part he would say, "Take physic pomp." He would not vote a dollar for the cry of *exigency*; he must have *light*, so as to excuse himself to his constituents.

(Hon. J. J. Crittenden to his son Robert.)

SENATE-CHAMBER, January 3, 1837.

DEAR BOB,—I am so much pleased with the number of your letters, and so anxious to encourage in you a disposition to write, that I shall not fail to do my part in the correspondence. No exercise of the mind seems to me better calculated to form the invaluable habit of accurate *thinking* and of *easy* and *proper expression* than the practice of reducing our thoughts to writing, and letter-writing is the most familiar and easy mode of doing

this. But yet how few there are who ever attain to excellence in this most useful and important art! There is scarcely anything more indispensable to success in life. An educated man may be dressed in rags, his outward appearance may not indicate his character; but let him put his pen to paper, and his merits are instantly disclosed. Nothing is more sure to condemn a pretender than an ill-expressed, ill-spelt piece of writing. In the judgment of a man of taste such a production would condemn the author irretrievably. Let it be your ambition to learn early, and strive by steady practice to improve your style and manner of writing. Though certainly less in importance, even the *handwriting*, the mechanical part, is worthy of consideration,—sufficiently so, at least, to deserve your earnest attention. When I say to you that I know you have high capacity, I do not say it to flatter, but to make you sensible of obligations to employ and improve it. My hopes of you are high and proud, and no small portion of my future happiness or unhappiness depends on you,—on your fulfillment or disappointment of those hopes. I trust the recollection of all this will be cherished by you and stimulate you to every honorable exertion in pursuit of honorable distinction. Do not be satisfied with *mediocrity* either in your exertions or successes. Cherish also feelings of honor and kindness, and principles of truth and integrity. *Suffer anything* rather than utter a falsehood or do a dishonorable act. Cultivate and guard a sense of honor, and struggle, my boy, my dear boy, to be all that you know I wish you to be. Your mother, I think, wrote to you a few days since, and sent you some *newspapers*. I hope, however, that you will not give up much of your time to newspapers. You asked my permission some time since to give up the study of Greek. I am very unwilling, my son, that you should do this. It is a most beautiful language, and easy to be acquired after the first difficulties are overcome. In twelve months, and devoting only a part of each day to it, I had learned it so well that I read for a single lesson an entire book of Homer. I was then older than you are and better prepared for the study; but go on, you will find it easier than Latin, and will rejoice that you have learned it,—go to it with cheerfulness and spirit, determined to master it. I send you a five-dollar note, as you complain of being in want of *cash*. Your wants cannot be very extensive; probably this sum may do, if not, write again.

Your affectionate father,

J. J. CRITTENDEN.

ROBERT H. CRITTENDEN.

(Henry Clay to R. P. Letcher.)

WASHINGTON, January 17, 1837.

DEAR LETCHER,—I yesterday addressed a letter to the General Assembly, accepting the appointment which it has recently conferred upon me. I need not say to you, *who know me*, with what unaffected sincerity I desire to retire, that this decision has cost me the most painful sacrifices of feeling, and I shall hail with the greatest pleasure the occurrence of *circumstances* which will admit of my resignation with satisfaction to myself and without dishonor to myself. The Senate is no longer a place for a decent man. Yesterday Benton's *Expunging Resolutions* passed, 24 to 19; and the disgraceful work of drawing *black lines* around the Resolve of 1834 was executed at *nine o'clock at night*. The darkness of the *deed* and of the *hour* was well suited to each other.

You will observe that a bill for the relief of yourself and your friend Moore has passed the House. The latter part of it will be a *bitter pill*, which I do not know that I can swallow.

Your friend,

R. P. LETCHER.

HENRY CLAY.

(J. J. Crittenden to A. T. Burnley.)

WASHINGTON, March 8, 1837.

DEAR BURNLEY,—I have at last the pleasure of announcing to you the recognition of the independence of Texas by this government. Yesterday the Senate confirmed the nomination of M. La Branche, of New Orleans, as our representative to the government of Texas. The destiny of Texas may now be considered as settled, so far as relates to her national independence; and I trust that independence will be fruitful of all the blessings of good government to her people. In the midst of this jubilee for the birth of a new nation, I cannot forget to rejoice a little at the brightened prospects of my friends, whose private interests have been connected with the fortunes of Texas. I wish for you an *estate* of a *million only*. That will be enough for a plain republican, and I hope you will be satisfied with it. General Jackson left the District yesterday on his way to the Hermitage. As it was said of Richard's *natural life*, so it may be said of Jackson's political life, that "nothing in his life became him like the leaving it." The Senate is yet in session. I *shall* leave here to-morrow morning. After the glorious news from Texas you will have no *taste* for anything I could write. I am in all haste and confusion, in perplexity and preparation, for my departure. For God's sake, be an adviser for George. Get acquainted with my old friend Archer, and make George known to him; he is a noble fellow and true friend.

Your friend,

A. T. BURNLEY.

J. J. CRITTENDEN.

## CHAPTER IX.

1837-1840.

Admission of Michigan—Purchasing Madison Papers—Letters.

IN 1837 Mr. Crittenden advocated the immediate admission of Michigan, and opposed the adoption of the preamble attached to the bill, because it did not tell the whole truth. He also spoke eloquently in favor of purchasing the *Madison papers*, stating his conviction that nowhere could more light be found as to the just interpretation of the powers of the Constitution. He declared that if the remains of Mr. Madison were known to exist, in the remotest corner of the world, he would vote for an expedition to bring back *dust so sacred* to this country; as to the copyright, so precious did he hold the manuscript that, if he possessed it, he would not sell it for thirty thousand dollars.

Mr. Crittenden was always in favor of the distribution bill; he did not advocate the collection of revenue for the purpose of distribution, but if a surplus of revenue occurred legitimately, he contended that it should *not* be thrown into the deposit banks, to excite the cupidity of those corporations, *but back* into the hands of the people; it should not be kept on hand to meet the *fancies* or *lusts* of those in power. He believed that virtue was the foundation of republican government, and that a lavish expenditure of public money had a direct tendency to undermine public virtue.

The executive had told the Senate that a surplus furnished means for speculation; and so strong had been *his* conviction of the evil, that, with a view to prevent it, he had assumed the responsibility of the "Treasury order." Mr. Crittenden remembered well when the President commenced his attack on the United States Bank. He had held out to the nation the golden prospect of a specie circulation. This was the cheap purchase of anticipated glory, and rang from Maine to Georgia; but when the promised time came, the objections were many

and insurmountable. The argument used was, that this money would *corrupt* the people, and it must therefore be left in the hands of the *pure* and incorruptible men who now had the management of it. With regard to the fourth installment of the deposit bill, Mr. Crittenden contended that it must be paid, that the faith pledged by an act of Congress should not be so lightly broken. The government could get no available funds by means of this bill; so great was its tenacity for a metallic currency that it would not even acknowledge the money of the country. The States had entered into contracts, and incurred expenses, on the expectation of receiving this money. The States will gladly receive these funds which the government rejects; the people have full confidence in the banks and would take their paper. Mr. C. declared that the money *belonged* to the people, from whom the government had collected it. Notwithstanding the great distress of the people, and the lessons in economy read to them by the President, the only object of the administration seems to be to fill the Treasury.

In the early part of this year, Mr. Crittenden opposed the bill for the increase of the army. I believe the bill proposed to fix the minimum of the army at 12,500. The pretext for this was the danger of sudden irruptions of the Indians on the frontier. Mr. Crittenden said it was vain to affect a terror of this down-fallen race, trampled in the dust, broken in spirit, borne down by oppression and injustice; they were a poor, degraded race, living on the charity of the government. He opposed all increase of the army, or of the fortifications, considering them a useless burden on the nation. The bill formed part of a mischievous system of policy founded on principles repugnant to the genius of our country.

(J. J. Crittenden to Leslie Combs.)

SENATE, March 20th, 1838.

MY DEAR SIR,—I received your letter relating to the claim of our friend Allen. The excitement which was created here by the *duel* was, for a time, great. The affair was to be blended with politics, and all the *little politicians* were set to work accordingly. The case was suited to their capacity, and, for a time, their success was great, and the excitement high. But a reaction is now, I am told, taking place with almost equal rapidity. A vile spirit of political persecution is seizing on the

occasion to injure or destroy Graves, and for other party advantages. We believe that they will be disappointed in this, and that they can derive no advantage from it when the public has been made acquainted with the whole matter. I shall not now attempt to give you any history of the affair. Graves acted from a sense of honor. If he went a step too far, it was from extreme sensibility which he felt as a Kentucky representative. He worked to *avoid* every possibility of reproach upon his honor and his gallantry at the hazard of every peril. You know how a Kentuckian feels when at a distance from home. The honor of *his State* is in *his hands*,—so *he* thinks and feels,—and the sentiment, though it may sometimes err, is worthy of encouragement. You will have learned all the circumstances before this reaches you, and will, I hope, be prepared to think favorably of Graves's case. Depend on it, he is a pure-minded, noble-hearted fellow, and as brave as Julius Cæsar. He ought to have *your sympathies*. I have no room for comment. The Kentucky blood here is all *warm* toward Graves. From the administration presses the vilest abuse is poured out on *him*, and on *Wise* particularly. We *hoped* to hear a somewhat different note from our Kentucky papers, but, really, their style has been almost as damning, by its faint, puny, stinted sort of defense. I appeal to you for Graves. Look to this subject, and give the proper *tone* to his vindication in our papers in your town, if it meets the approbation of your judgment.

Your friend,

LESLIE L. COMBS.

JOHN J. CRITTENDEN.

In 1838 Mr. Calhoun's resolutions, authorizing anti-slavery documents to be taken from the Southern mails, were under discussion. Mr. Crittenden denounced them as vague abstractions, calculated to produce agitation, fine-spun theories, upon which no two men could agree. The mover of the resolutions was continually uttering the *trite cry* of danger to the *Union*, and declaring that, if he is not followed in this movement, the Union will be destroyed. Mr. C. thought the surest way to break up the Union would be to follow that gentleman in his violent course. Such language might be only a polite method of carrying, by wild alarm, every trembling vote in his train. "Has the South no friends but the gentleman and *his little party*? Is no other banner displayed, under which the friends of the South can range themselves, but the tattered, shattered flag of this little States Rights party?" Mr. Crittenden thought himself a States Rights man, but he could not follow Mr. Cal-

houn in his vagaries ; could not go along with him in his *mental terrors*. Mr. Crittenden did not think the language of the resolutions decorous. The sovereign States are the sovereign elements of this Union. He thought a State had a right to petition.

In 1838 the General Assembly of Connecticut instructed their representatives, Mr. Miles and Mr. Smith, to vote against the sub-treasury bill. These representatives denounced the proceedings of their legislature as dishonorable. Mr. Crittenden declared that he did not profess to be under the obligation of unlimited and passive obedience ; *but* he protested against that sort of language held by the senator against his State ; he was sorry to see the spirit with which gentlemen submitted to their political *retirement*. In fact, he thought they had gone beyond their depths in a sea of glory. When they had conned their lesson in the school of adversity, they might, *perhaps*, be brought to their senses, and be made useful members of society in their proper places.

In 1838 Mr. Crittenden introduced a bill to prevent the interference of Federal officers in elections. Some time after he expressed a hope that an early period might be allowed him for its discussion. He desired to bring to the notice of the Senate the sophistries by which this *greatest vice* in our system was defended.

There was a great outcry against this bill of Mr. Crittenden. It was called the *gag-law*. In 1840 a great Southwestern convention was held in Nashville, which Mr. Crittenden attended, and at which he made a speech, which was said to be one of his most masterly efforts. The legislature of Tennessee instructed her representatives to vote against this bill ; and Hugh Dawson White, senator from Tennessee, felt that he could not conscientiously obey these instructions, and resigned. The allusion which Mr. C. made in his speech at the convention to that scene in the Senate, and Mr. White's death, which soon followed, is most touching.

(J. J. Crittenden to his wife Maria K. Crittenden.)

SENATE, February 28, 1839.

MY DEAREST WIFE,—On Sunday next, three days from this time, I shall leave here on my return to you. Sunday week at

furthest, I hope to be with you. I count the days now with as much impatience as I did months at the beginning of the session. My heart almost leaps forward to meet and embrace you.

My highest wish is to find you full of health and happiness, and arrayed in all those smiles which you know I have so long admired. I was engaged almost all day long yesterday in the Senate, and I feel a little worsted by it to-day. Judge Underwood was married last night to Miss Cox, of Georgetown. The Kentucky delegation were at the wedding. Farewell, my dearest wife; kiss our children for me.

J. J. CRITTENDEN.

Mrs. MARIA K. CRITTENDEN.

(J. J. Crittenden to A. T. Burnley.)

April 22, 1839.

DEAR BURNLEY,—I inclose you letters to Webster and Sergeant. With your skill and address, I think you may engage those gentlemen in your cause. There is something stirring to generous minds in the idea of patronizing and aiding *young nations*, and of having these things remembered. Your *gentle suggestion* of the grateful sentiments with which Texas would remember *such* assistance would not be without *some effect*. But it is not for me to make *such suggestions* to an *old diplomatist*.

I shall not see you again, I suppose, till your return from Europe.

Farewell, then, and "may all good fortune attend you" by sea and land, and bring you back to your home and friends, *speedily*, in health, and crowned with success and wealth.

Your friend,

To A. T. BURNLEY.

J. J. CRITTENDEN.

(Daniel Webster to J. J. Crittenden.)

LONDON, July 31, 1839.

MY DEAR SIR,—I received yesterday your letter by Mr. Burnley, whom I was glad to see, and to whom it will give me pleasure to render any service in my power. When I parted with you, I hardly supposed I should ever write to you from London. We have been here now nearly two months, and have been occupied with seeing and hearing. Political excitement, and the state of parties here, made it rather an interesting period. I have attended the debates a good deal, especially on important occasions. Some of their ablest men are far from being fluent speakers. In fact, they hold in no high repute the mere faculty of ready speaking, at least not so high as it is held



in other places. They are universally men of business; they have not *six-and-twenty* other legislative bodies to take part of the law-making of the country off their hands; and where there is so much to be *done*, it is indispensable that less should be *said*. Their debates, therefore, are often little more than conversations across the table, and they usually abide by the good rule of carrying the measure under consideration *one step*, whenever it is taken up, without adjourning the debate. This rule, of course, gives way on questions of great interest. I see no prospect of any immediate change of administration. The minority acknowledges itself to be weak in the number of its supporters in Parliament; but their opponents, if they should come into power, would hardly be stronger, without a dissolution and a new election. It is thought that, upon the whole, the conservative interest is gaining ground in the country, especially in England. Still, the leaders of the party feel very little inclined, I think, to be eager for the possession of power. Office here is now *no sinecure*. Business matters have been in a bad state, and money remains quite scarce; but *cotton* has risen a little, and some think the *worst* is over. I expect to hear bad news from the United States. I fear greatly for many of the banks. Nothing can be done with the securities of our States, nor can anything be done with them on the Continent, though money is plenty in *France* and *Holland*. My dear friend, I fear it will be very many years before American credit shall be restored to the state it was in at the time the late administration began its experiments on the country.

My wife and daughter are, of course, much pleased with what is to be seen in London, and Julia was greatly grieved to hear that Cornelia was so near coming the voyage hither and afterwards *gave it up*. The weather is hot; if no change shall come soon, the wheat crop will be in danger.

I am, dear sir, with true regard,

Your friend and obedient servant,

DANIEL WEBSTER.

Mr. CRITTENDEN.

(General W. H. Harrison to J. J. Crittenden.)

NORTH BEND, November 7, 1839.

MY DEAR SIR,—My intimate friend (for forty-four years) Judge Burnet, of Cincinnati, was appointed with Judge Pease by our State Convention as delegates (at large) last winter. Pease died some weeks ago. I saw Burnet yesterday; he is in good health, and is preparing to attend at Harrisburg on the 4th proximo. The delegate from this district will be chosen on the day after to-morrow. None but an intimate and zealous friend of mine

will receive the appointment. Several are mentioned, but I think Colonel N. G. Pendleton will be chosen. Both B. and P. have seen your letter of the 25th, from Philadelphia, as have two other friends who have been spoken of as the district delegate. Burnet (and whichever of my other friends may go with him) will endeavor to see you and consult with you as they go to Harrisburg. They will explain to you my objections to the use you suggest of certain letters in my possession. The policy pointed out by the present state of the contest appears to me to be that of conciliation; for I think that the friends of Clay, in the Convention, will be convinced that he cannot obtain the votes of either Illinois, Indiana, or Ohio, and that I can get them all. There never was a time when I could not beat V. B. in either of the two last, and I assure you that I am (in the latter particularly) daily gaining strength. There are many, very many heretofore warm partisans of the administration who have declared their determination to vote for me if I should be the candidate. Some find an apology in the principle of "rotation in office," and that they cannot see any difference in my pretensions and those of Jackson. Others begin to see something wrong in the conduct of affairs, and are willing to give their votes to another candidate than the incumbent, provided "he has always been on the side of the people." This they believe of me, but obstinately persist in refusing to accord to Mr. Clay in despite of facts the most undeniable.

Some of my friends are desirous that I should place, in some shape or other, with a view to its being laid before the people, my views of the "present desperate state of the country, and my opinions as to the necessity of a thorough reform." But I do not agree with them as to the necessity or even the propriety of such a course.

It appears to me that no one should be supported for the Presidency of the United States who cannot give a better guarantee for the correctness and fidelity of his conduct than that of opinions given and pledges made during the pendency of the contest which was to decide on his pretensions. How many instances can be adduced of the fulfillment of engagements made under such circumstances when there was strong temptation to violate them! What, then, it may be asked, is the security of a free people in conferring power upon those who are to administer their affairs? I answer that an effectual remedy is only to be found by limiting the powers granted to a measure which shall be only equal to the proper discharge of the duties required to be performed, and even those for as short a period as possible. I am satisfied that this general principle does not meet the exigency now to be provided for, because the powers annexed to

the office of President are greater than are necessary for the chief magistrate of a republic to possess, and the reduction of them to the proper standard not immediately in the power of the people. Indeed, the reduction of the unnecessary and dangerous powers depends upon the selection of the President, as the prerogatives conferred upon him by the Constitution, or claimed to have been conferred, are such as totally to preclude any hope of reform but with his consent. The question, then, recurs, What guarantee, under such circumstances, can be given to the people that their confidence will not be betrayed, and that the measures so necessary not only for their prosperity, but for the preservation of the republican principles of the government, will not be thwarted by the candidate whom they may select? The answer seems to me to be obvious. Since it appears from the records of history, confirmed indeed by our own experience, that pledges given by candidates for high trusts are not to be relied upon, the people must look for security to a strict scrutiny of the character of those who are presented for their choice. Have they been before intrusted with power? In what manner was it exercised? Was it used with a single eye to the advantage of those for whose benefit it was given? Was there any manifestation of a desire to increase it beyond the limits which the common-sense meaning of the grant which conferred it would authorize? Any selfishness discoverable amidst the general display of magnanimity and devotion to the public good? There is one candidate for whom I would readily vouch for his passing through such an ordeal without the slightest imputation upon his honor or patriotism. I allude to Henry Clay. During a large portion of his public life I was in his confidence, and I am perfectly sure that the interest and happiness of his country were the objects to which his great talents were devoted. General Scott I only know as an honorable man, a gallant and able officer, and a sterling patriot. Of his political opinions I know nothing.

As I am myself the only other candidate of the opposition, I must leave it to the people to determine the character of my conduct whilst I was in their service. For many years I filled offices of no inconsiderable importance, and the powers with which I was often clothed great almost beyond example in our country, and for that reason greatly enhancing the obligation to a faithful discharge of the duties they imposed. To the crime against the people a contrary course of conduct would have superadded that of bringing disgrace upon the administrations of Jefferson and Madison,—those pure patriots by whom I was patronized and trusted. If, under circumstances such as these, I could in a single instance have departed from that course of

conduct which marks an upright and faithful public servant, I am unworthy of the further confidence of my fellow-citizens. The deep stake they have at issue in the election of a President for the next term, the important consequences which are to flow, for good or for evil, from the way in which the contest may be decided, create an obligation upon the part of the people greater than at any former period strictly to scrutinize the conduct of those submitted to their choice, when in the exercise of power heretofore conferred. To bring them to the test of the Scripture parable, whether having been "faithful over a few things" they may be safely trusted "to rule over many things."

It is in no spirit of arrogance that I challenge such an investigation in relation to myself. I cannot hope that in the discharge of the various and complicated duties which have been committed to me (and which, in the opinion of the patriotic Shelby, were at one period "greater than he had ever known imposed upon one individual") that it would not be found that I have committed errors. I am too conscious of my own imperfections to entertain any such idea. My confidence rests solely upon my intentions to do right, and to carry out in practice those democratic republican principles, in the theory of which I had from early youth been trained. I trust that an investigation would clearly show that, instead of endeavoring to enlarge the great powers which as governor of Indiana I possessed, I sedulously sought for opportunities to place them in the hands of the people.

I have said above that I considered pledges given by a candidate for the Presidency as to what he would or would not do, unnecessary and improper. I have endeavored to show that they were "unnecessary;" and I think, by reference to the opinions I have given in my letters to Mr. Sherrard Williams and Mr. H. Denny in relation to the exercise of the veto power by the President, that it would be highly improper in one who limits the President's power as I have done, to pledge himself to any particular course. Give any other construction to the Constitution than that which I have given in those letters, and it seems to me that the whole character of the government would be changed, and that the President, by the union of the direct and indirect means which I have pointed out, would become as effectually the legislator of the country as is the autocrat of the Russias. The veto power was evidently given to guard the Constitution and to prevent the effects of a too hasty legislation. I conceive, that even in cases of doubtful construction of the Constitution, the opinions of the President must yield to the deliberately expressed wishes of the American people. But, again, let the precedent already set become established, and

the Presidency every fourth year will be at auction, as was the Roman empire upon the death of Pertinax. The leaders of the different interests and parties will be the bidders, and the high prize will be knocked off to the highest offer, *i.e.* to the party that can bring most strength to the aspirant, although the interests and perhaps the constitutional rights of the weaker party may be sacrificed by the discharge of the debt. What a field for intrigue will be here opened,—what a school for giving the last polish to political hypocrites! Further, if the precedent of pledges is once established, it would render abortive the now so generally favored opinion of confining the presidential service to a single term. Will the man who pledges himself to support the efforts of a party in the accomplishment of any particular object hesitate to pledge himself also to aid with his influence the succession of his allies to the seat of power, and thus perpetuate the injustice by which his own elevation was effected?

It will not, I hope, be considered by what I have said above that I am opposed to every effort being made by the people perfectly to understand the political opinions of a candidate for the Presidency, as far as it relates to the principles of the Constitution and the fundamental principles upon which it is founded. No one should be supported for the Presidency of whose sentiments in relation to them there hangs the slightest shadow of doubt, of whom it was not believed that having received the highest evidence of favor and confidence which his fellow-citizens could bestow, that it would be the dearest wish of his heart, the constant object of his thoughts, and that upon which all his official influence would be devoted to restore the government to the purity in which it came from the hands of Jefferson, Madison, and Monroe.

In the letters to Mr. Williams and Mr. Denny above referred to, I have endeavored to give my opinion of the principles of our government in a manner not to be misunderstood. But I refuse to pledge myself in advance, as to the application of these principles to particular cases or to the views of any particular party; because by so doing I should usurp upon the privileges of the legislative branch of the government, of which the President, notwithstanding his veto power, constitutes no part. And because, from my construction of the Constitution, a President of the United States is chosen, not for the purpose of carrying into effect his own political views, but those of the people of the United States declared by themselves or their more immediate representatives.

I am, dear sir, yours truly,  
W. H. HARRISON.

(J. J. Crittenden to his wife Maria.)

WASHINGTON, January 2, 1840.

MY DEAREST MARIA,—A happy New Year to you! and all the blessings *due* to the tenderest and best of wives! Oh, what a feast of the heart it would have been could I have transported myself suddenly home and met the joys of the season with my wife and children in my arms and on my knees! It is some enjoyment to think of this. And now again I ask you when will the weather permit you to start for Washington? This is the most interesting point for me. I was at the President's yesterday, and at night at the theatre for the first time. There was as usual a great assemblage of all sorts of people and all sorts of dress at the President's. I met there with Mrs. Pope, of Louisville (formerly Miss Preston), and acted as her gallant during the evening. She is clever, and I shall like her; her being a Kentuckian is enough to secure all my predilections. I went to the theatre to see Vandenhoff and his *more celebrated daughter*, particularly the latter, of whose beauty and talent I had heard so much; and I think she deserves it all. She is unquestionably the finest actress I ever saw. Without offense to your *Presbyterianism*, I wish you could have enjoyed it all.

I have not heard from you for several weeks, and begin to be out of temper with the *postmasters*.

Farewell, my dearest wife. My love to all.

J. J. CRITTENDEN.

(J. J. Crittenden to his wife Maria.)

SENATE, January 8, 1840.

MY DEAREST WIFE,—I have not a word to write, and yet I must write to you. It is a sort of ailment that my nature seems to require, and as without any cause that I am conscious of, I feel rather gloomy and despondent, I naturally turn to you for relief. I should indeed feel that "the world was a waste," and bore neither fruit nor flowers for me without you. Get well and come on to me as soon as possible, but do not expose yourself too much to the inclemency of the weather.

Kiss our little boys for me, and believe that I love you with all my heart.

J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, April 2, 1860.

DEAR CRITTENDEN,—My political speculations are not worth a copper cent! I have never believed that Seward would be the candidate of the Black party, or that Douglas would be the choice of the Democrats; but I confess your letter almost

convinced me that my views were erroneous. If, as you suppose, it is distinctly understood, upon the meeting of the Charleston Convention, that Seward will be selected at Chicago, then I think Douglas will be the nominee, upon the calculation that he will be able to carry Illinois and Indiana. I have had a talk with Guthrie; he was confident of obtaining the nomination at Charleston. I told him, *frankly*, he had not the ghost of a chance. I believe *now* he is of my opinion. The friends of Breckenridge *here* and at Lexington seem to be confident that he will be the lucky man. *I* don't believe *that*. We hear Buchanan has taken him up; I doubt if he will *be true* to him. I know he hates him, not perhaps as much as he hates Douglas. I have read B.'s plea in abatement, protesting against an inquiry into his official conduct. The plea is, I think, well drawn and adroit, but the points of objection appear to me indefensible. You are right to have nothing to do with a nomination. Let Hunt or Everett, or somebody, take the place. Tom Clay says if his presence is necessary at the Baltimore Convention to vindicate you, he will go on at once. Combs begged himself in as a delegate to the exclusion of Tom. I see no fun whatever. Go to Burnley's and talk to him, then to the bank, then back to Burnley's, then home, read, lay down, get up, and do the same thing, take medicine, and have myself rubbed like a race-horse. Come home! The *queen* is thinking of what she will have for breakfast the day you get home. One thing I know, there will be a quart of rich cream, and I sha'n't *get a drop of it*. I am glad Mrs. Crittenden does not *go out* in Washington; she will be better prepared for a "*poor man's breakfast*."

Your sincere friend,

J. J. CRITTENDEN.

R. P. LETCHER.

(J. J. Crittenden to Orlando Brown.)

SENATE, April 30, 1840.

DEAR ORLANDO,—Our intelligence from Virginia enables me now, as all here think, to say to you that the Whigs or Harrison men have carried that State by the election of a majority of the legislature and with a majority of the popular vote. The first fruits of this will be two senators from that State and then its electoral vote for Harrison. This latter consequence, however, is our inference. The administration men say there will be a *reaction* in Virginia, and that they will carry the State then by a large majority. And it is upon such dreams and visions they feed their sickly hopes. Nothing can exceed the confidence of the friends of Harrison. That confidence generates and sustains a corresponding zeal, and as far as there can be

any certainty in respect to future political events, it seems to me that his election is *certain*, and by a very great majority. The nation is *now* for him. The current of events is in his favor, and the same great causes that have produced that current will continue to give it increased rapidity and force. The abuse lavished on Harrison is like oil thrown on the fire, and will endanger or consume the incendiary only. The popular feeling breaks forth in favor of Harrison where it was least expected, and makes glad places that were considered as "waste." Georgia, notwithstanding all efforts to the contrary, has, of a sudden and as by some general and spontaneous impulse, raised a mighty shout for him, and seems like all the other States in her zealous support of him. I speak from information which I consider the very best and most indubitable when I say to you that I believe Georgia is just as certain for Harrison as any State in the Union. Though the leaders of the administration party here affect the language of confidence, it is evident that their ranks are wavering with fear and alarm, and that they can scarcely withstand the tone of courage and confidence that constantly resounds from the host of their adversaries.

They are, in effect, already dismayed and beaten. And if the friends of Harrison can only resist the efforts that will be made to divert and deaden public sentiment, and will only preserve their present patriotic spirit, their opponents will not only be beaten, but utterly routed,—“horse, foot, and dragoons.”

The presidential question absorbs everything else, and but little is doing, or will be done, in Congress at the present session, though the session will, in all probability, be a long one.

In the great struggle for political deliverance that is now in progress, I hope that old Kentucky will not be behind the foremost. Her place is in the front, and in that *post* of patriotism and honor I had rather see her trodden down than make one disgraceful step from it.

Who is our candidate for our county? You must not surrender Franklin at this crisis. We must have a candidate, and one that can be elected.

While I write you, the first number of the *Campaign* is laid on my table. I hail it, and that I may pay my respects to the stranger, must conclude my letter. I don't understand that you have yet erected at Frankfort a "log cabin." This ought to be attended to; it is all the rage on this side the mountains, and the common impression is that neither Grecian nor Roman architecture ever constructed anything superior to the "Log Cabin." My best respects to your wife, and kindest remembrance to all our townsmen and friends. Write to me.

Your friend,

O. BROWN, Esq.

J. J. CRITTENDEN.



## CHAPTER X.

1840.

Great Southwestern Convention—Letter of Archbishop Spalding—Complimentary Resolutions of the Board of Trustees of the Second Presbyterian Church in Baltimore as to the Trial of R. J. Breckenridge—Letters.

THE great Southwestern Convention met on the 17th of August, 1840, at Nashville, and, after adopting certain resolutions, it was addressed by Mr. Crittenden. I am persuaded that no mortal man ever made a greater impression upon a popular assembly. Never before did I see such a multitudinous audience tremble under the power of eloquence, never were the deep fountains of my emotions so stirred. Peal after peal followed, blow after blow fell with merciless power, sarcasm after sarcasm, and coruscations of wit delighted the vast assembly. Mr. Crittenden's eye flashed, now with scorn, now with other emotions. He has left behind him a name which time only can obscure.

I feel it would be murder in the first degree to attempt a description of this masterly display of oratory. No pen can truly write out that speech, no tongue can truly describe it. Great as is the reputation of its author as a statesman and an orator, his warmest admirers declare that they never heard him on any occasion make a better speech, more eloquent, more appropriate. I heard conspicuous Van Buren men proclaim that it was the greatest speech they had ever listened to.

The style and manner of the distinguished statesman cannot be spread upon paper: an outline only of the principal points he dwelt upon will be attempted.

Mr. Crittenden began by expressing a wish that he could feel himself worthy to address such an audience, feel himself able to entertain so vast a multitude on so great an occasion:

Fellow-Citizens,—We can all do something for a great cause. Let no man say he can do nothing, but rather let him gird on

his armor, take one step forward, and he will find himself engaged in the struggle of the people against power and oppression. Let him look at the great and critical measures which are involved in this contest. Let him reflect upon the sad, the fatal consequences which will be visited upon the people if the executive should triumph; let him calmly survey this overshadowing power which the executive is contending for; let him reflect that the great issue is liberty against oppression, the people against the office holders,—then let him prepare for the contest and say he *can* and *will* do something in the conflict.

Fellow-citizens, every man knows that the office holder feels bound to electioneer for the President. In order to hold his place he must give up his independence as a freeman, submit to the requirements of his master the executive,—he knows that this is one of the cardinal principles of Van Buren democracy. As my illustrious colleague truly observed yesterday, all the qualifications an applicant may possess will avail him nothing. The questions put by, or in behalf of, Martin Van Buren are not, Is he honest? Is he capable? Will he support the Constitution? Oh, no, fellow-citizens, these old-fashioned questions, recognized by Jefferson's democracy, have been *superseded* by another catechism which was somewhat after this fashion: What has he done for our party? Who has he bullied at the polls? Has he used means to mislead the people and entice them to our support? Have the people rejected him? Let him establish these claims, and his reward is sure. All who are willing to come under this Russian serfdom and to give up the breath of freemen are qualified for office under Martin Van Buren. All applicants who have been thus meanly willing to submit to such terms have been rewarded with office.

But do such officers answer the purpose of the people, to whom indeed all the offices belong? Are their best interests faithfully watched and guarded by such servants? Is the money of the people faithfully guarded? No, fellow-citizens, no! out of sixty-seven land officers, sixty-three have proved to be defaulters. What do the people think of this? What is its moral tendency? What the moral effects of such a state of things? Who does not see that it is Mr. Van Buren's object so to vitiate, to corrupt the public mind that he may appoint the most desperate and despicable politicians to office, who will stop at nothing in assisting him in the accomplishment of his grand scheme of subjecting this great people to his arbitrary rule for another term? I do not believe Mr. Van Buren possesses either the head or the heart to be the President of this proud and independent nation. He was nurtured in the Albany

Regency school of politics; he has not the capacity or sensibility to act or feel like a Western politician. Van Buren is a *free-trader* in politics, buying where he can purchase cheapest, and selling where he can command the highest price,—he was *for the war*, and he was *against the war*. Should the Federalist say to him, “Mr. Van Buren, we can support no man who advocated the last war, which ruined our commerce and brought our country so deeply in debt,” how readily would he reply, Gentlemen, who took more decided ground against that *war* than I did? Madison I opposed, and gave my hearty support to Clinton, your own favorite candidate. On the other hand, should the Republicans approach him, and say, “We can support no man who did not advocate the last war,” how promptly he would assure them that he did support it, and point to his reports and speeches in its favor made after Madison’s re-election, after the war had become popular. Now, take the subject of abolition. Should leading Abolitionists tell Mr. Van Buren that they would like to vote and use their influence for him if they could only have some evidences that he would help to carry out their principles, who could furnish them with stronger and more enduring proofs than Mr. Van Buren of his firm attachment to their cause? How gravely, with what sincerity, he would point to his vote instructing the New York senators upon the Missouri question; his vote in the New York Convention in favor of extending the right of suffrage to negroes; to his vote in Congress to restrict slavery in Florida; to his declaration, for the public, that Congress has the constitutional power to abolish slavery any day in the District of Columbia, and to his recent rescript, that he saw nothing of the admission of negro testimony in court against a gallant officer of the navy that called for his interference!

On the other hand, should the Anti-Abolitionists say to him, “Mr. Van Buren, what guarantee will you give us that if we vote for you, you will not favor the scheme of these infamous fanatics?” how quickly would he refer them to his repeated declarations that he would apply the veto to any bill having for its object the abolition of slavery in the District of Columbia! Upon the subject of internal improvements he is as well prepared. To one party he points to his vote to establish toll-gates upon the Great Cumberland Road,—such was his *love*, his *zeal*, for internal improvements! He calls attention also to his approval of numerous other bills making great appropriations for works of that nature.

To the opposing party, he will avow that he is against internal improvements by the general government, and point with exultation to the complaints of the friends of the great national

road, that he asked for no appropriations for it in his last table of estimates and expenditures.

On the subject of Federalism he pursues the same policy. To the Federalists, he can turn to his evident support of Rufus King, their great champion, and exhibit the book he wrote in his favor. To the Republicans, he can point to his support of Daniel D. Tompkins. Now, am I not justified in calling Mr. Van Buren a free-trader in politics? What has he ever done to advance the true interests of his country, or promote its prosperity? There can be but one answer,—he has done nothing! If old Plutarch were to burst from his tomb and be called upon to record the services he has rendered to his country, what a dread blank the old historian would be compelled to present to the world! What reasons have the people to advance such a man to the highest office in their gift? Repeat his name to his countrymen: does it fill the heart with grateful emotion? No! but at the name of Washington, or even Jackson, and of Harrison men's souls are moved; but sound the name of Van Buren and the hearts of men are as cold as a tombstone, or even as cold as Van Buren himself. His administration has been, thus far, a series of unprovoked wrongs and violated pledges.

Look at the ruined currency, the depreciated paper now floating over the country, the only currency almost in circulation. For his country, Mr. Van Buren has done nothing; for the office holders he has done much! He has given them a currency far above that of the people, and he had reduced the wages of the laborer to enhance the salaries of the office holders. When I see office holders busying themselves in elections, I think of the declaration of my friend Grundy, who said, "They were voting for their bread." They are the Prætorian bands of the executive; they come all "drilled, armed, and paid into the contest," while the people, whom they oppose, are only armed with the republican principles instilled in their minds by their fathers.

Here the great orator drew a striking parallel between the President's army of office holders and the Prætorian bands of Rome, and mirrored forth the fatal consequences that would inevitably ensue if our people did not fully rouse themselves and put the usurper down. He spoke of England's democracy; how much it had at one time accomplished by resolving to submit no longer to the arrogance and insufferable dictation of the throne. He took a glance at our own country, when Jefferson was elected Vice-President, and told what the great Republican promised if the people elected him President,—that he would

effectually put a stop to the interference of office holders in elections. This evil, even at that early day, was beginning to alarm the Republicans of the country.

Jefferson was elected, and fulfilled his promise. Harrison now gives a similar pledge, which he will surely fulfill. Seeing that no check in that direction was to be expected from the present President, Mr. Van Buren, he had introduced a bill, a year or two ago, into the Senate, to bring about again what Mr. Jefferson effected, but which Mr. Van Buren opposed, and, indeed, he was constantly seeking to aggravate the offense complained of. His bill was designed to secure the freedom of elections against the interference and dictations of office holders. It left them free to vote as they pleased, and made them independent of the executive. Under this bill they were not compelled, in order to retain their places, to electioneer for the President. They were filling the people's offices, and ought not to be required by the executive to neglect their legitimate duties in order to electioneer for him. In selecting a judge of a court the main object ought surely to be to obtain one who will faithfully discharge the duties of his station, biased by none, uncontrolled by any superior. This bill had been most grossly misrepresented. It had been called a "*gag-law*" by those who were really attempting to gag all office holders, closing their lips, not allowing them to say one word against the powers that be, however corrupt and dishonest they might have found them. Instead of gagging them, the bill would relieve them from that state of surveillance and make them independent; restoring to them the liberty to vote for whom they pleased. Mr. Crittenden said, "this was the object he had in view in introducing his bill." He referred to Benton's bill to restrict executive patronage, introduced in 1826, and stated some of its arguments and predictions. Those predictions had been verified. The President says to his office holders, "Electioneer for me and secure my re-election, and I will keep you in office." Benton's prediction has been fully realized. This worst species of venality and corruption has come upon us. His bill was intended to put a stop to it. He loved freedom of speech, partly, perhaps, because he used it so freely. When his bill came before the Senate for action, and Benton opposed it, he referred him to his own bill

and predictions of 1826. When Mr. Buchanan opposed it, he referred him to what he had said on a former occasion against the interference of office holders in elections. He read to the Pennsylvania senator, who was taking notes to reply, his own words. The senator dropped his pen and stood aghast. Three days after he got himself prepared with a defense which he pronounced before the Senate. But this was not enough, though Mr. Buchanan was an old Federalist and was presumed to be well acquainted with the best method of defending Federal and opposing Jeffersonian Republican doctrines. Mr. Hall, of New Jersey, another old Federalist, stepped forward to the rescue and framed a report, which not only countenanced the office holders in all their indecent interference in elections, but absolutely enjoined it upon them as one of their duties. This report was adopted by the administration, and thirty thousand copies were ordered to be printed and circulated. He said he thought the number should be a hundred thousand, so that every office holder could have a copy of his orders. "For himself," Mr. Crittenden said, "his motives were pure in offering that bill." He was proud of it, and no name its revilers could give it would make him ashamed of it. He knew to what use the bill had been turned by demagogues in Tennessee to effect the object which was accomplished last year; he knew it had been used against the senators of this State (Tennessee) who voted with him for its passage. They, like himself, voted for it, wishing to effect what Jefferson had the "honesty to order done" without the aid of legislation, and it gave him pleasure to have it in his power to proclaim that, had his colleague, Mr. Clay, been present when the vote was taken, he, too, would have given it his support. By means of that bill the Senate had been deprived of the services of the State of Tennessee, and the whole country had been deprived of the valuable services of his distinguished friend, Mr. Forster, now presiding over the deliberations of this Convention. But justice will be done him, and that, too, at no remote day.

Fellow-Citizens, said Mr. Crittenden, I wish that I could stop here. I wish I could say that no other statesman but my honorable and esteemed friend Forster had been sacrificed by means of that bill, and the manner in which it was grossly per-

verted and misrepresented. Some of your banners floating over us this day tell me, tell us all, of his departed colleague, Hugh Lawson White. It was my good fortune to know that venerable patriot well, to possess his full confidence. He was a good, honest, upright, and sincere man,—as sternly honest as Cato, as scrupulously just as Aristides! Full well do I remember that most solemn and imposing scene in the senate-chamber, on the Instructing Resolutions, when he took his leave, forever, of that body, of which he had been a bright ornament for many, many years. Hugh Lawson White stood erect, with his old gray locks floating over his shoulders, and calmly, but sternly, performed his duty. All was hushed and still as death; it was a scene which filled the beholder with awe and veneration. When on the point of leaving Washington to return home, I strove to detain him. I sought him for that purpose, and found him, not in his carriage, but on *his horse*. I warned him that the winter was rude and cold, the winds bleak, the snows deep and treacherous. I implored him not to depart at such an inclement season. His reply—so simple, so characteristic—I shall never, never forget: “Tennessee recalls me; I must go.” No human power would have swayed him; he loved and honored his State, and when she spoke he was ever ready to obey. He did return at her call, and now lies buried beneath the green sod in her eastern mountains. He died a martyr to that bill which the partisans of the administration so loudly and vehemently condemned. Well, let them denounce it,—Jefferson proclaimed it, Harrison proclaims it, Clay is for it, and White died a martyr to it.

Mr. Crittenden said that the terms he applied to Mr. Van Buren and his leading partisans he did not apply to the great body of the party, that from one cause or other suffers itself to be led by them:

Mr. Van Buren calls himself a Democrat. I, said Mr. Crittenden, call myself a Democrat. He maintains that it is just and right to possess and wield the power he claims; I avow it is unjust and wrong. He pretends that his measures are Republican; I contend that they are ultra Federal. He usurps the name of Republican; by this he hopes to carry out his ultra Federal doctrines, and get his office holders to deceive the people into the belief that he is a Republican, a pure Democrat. Martin Van Buren a pure Democrat! Great God, what a pedigree for Democrats to refer to hereafter! By creeping about on his hands and knees he has got the start of the Democracy. Are my hearers willing to confide in such a man—

in such a President? He wished "to extenuate nothing, to set down naught in malice." If he had not painted Mr. Van Buren's character fairly, he wished his hearers to add what they could in his favor, and then, for the sake of comparison, place him by the side of Harrison; then choose, shall it be this cologned and whiskered Democrat, or the plain, clear-headed, substantial old resident of the West? General Harrison is an honest man; the testimony of the numerous old soldiers guaranteed this; he knew himself something of Harrison in the field, but the testimony of others proved enough. Mr. Crittenden referred to the many offices Harrison had filled, by means of which he could have enriched himself, lived in a costly mansion, and, like Van Buren, drank wines from the south side of Madeira. General Harrison was content to perform his public duties faithfully, then retire to his farm, and live by its cultivation, dwelling in his plain, old-fashioned house. Will you have such a man for your President? Now, I will tell you what old Van Buren and his advisers at Washington are probably thinking: "Oh, well," say they, "these little transient excitements, conventions, etc. of the Whigs are foolish affairs; they will die out by-and-by, and all will go smoothly for us."

Their long enjoyment of public office and continued plunder of public money makes them hopeful.

They say to us, "Oh, you have begun too soon, you'll get tired before November." Thus power was flattering itself; but he could tell the spoiler that the zeal and enthusiasm now in action throughout this broad land will not subside till the Goths are driven from Rome and honest men put in their places. The deep-seated feeling which we now see is not ephemeral. A spark of the glorious old Revolution is blazing! it is not dying out! It burned seven years in darkness and storm, and it will burn on now, and blaze higher and hotter, until freedom shall again trample upon oppression.

The spirit of liberty was aroused everywhere throughout this vast country; he had seen it up in the North. The aurora borealis was nothing to it. He had seen the people with uplifted hands pledging themselves not to lay down their arms till the nation is restored to her just rights.

Mr. C. reminded his hearers of Commodore Hull's address to his men on board the *Constitution*, just before going into action with the *Guerriere*. After picturing to them the consequences of defeat, he said:

"*You can conquer* if you will. Will you do it?" I tell you, in the language of the great Hull, *You can conquer* if you



will. Will you do it? Do not let the predictions of the President and his office holders prove true.

Mr. C. portrayed with thrilling effect the consequences of defeat, and declared that it would be better that we should fall before some Cæsar or Napoleon, "with our backs to the field and our feet to the foe," gazing up to heaven from a death-bed of glory, than to be conquered by venality and corruption. He referred to the sister States of Tennessee and Kentucky, said they were alike in soil, climate, and pursuits, and about equal in population. He wished to see, and believed he would see, them side by side, hand in hand, in this great struggle for liberty. He knew the fire was up in the mountains; it will burn yet brighter. He had heard that to the North the flame of liberty was blazing; he had himself seen there flags flaunting the heavens as high as a bird can soar.

Old Virginia—God bless her!—the mother of States, was up and doing. As for New York, she is determined to call home her son. Martin has been out too long already; she knows him for a wayward boy, and is anxious to have him back.

He assured his audience that the enthusiasm they were now witnessing was but a small part of that which was pouring down the Alleghany, the Ohio, the Mississippi. These great streams are vocal this moment with the shouts of freemen, the gladsome songs of children!

The people, like Noah's Ark, have been out for a long time in the dark and troubled waters. Noah saw a sign of relief in the myrtle which the dove bore back to the ark. Have we not also a glorious augury of success in the bright eyes which now look with smiling approbation upon our proceedings? Everywhere the grace and beauty of the land have blessed our assemblies with their presence,—God bless them! In their footsteps I am willing to follow. The women of America always have favored, and always will favor, every great and good cause.

I feel confident of the triumphant success of the Whig cause, but I would not exult over a prostrate foe. I would have the Whigs magnanimous in their triumph, giving no needless offense to the enemy.

The victory achieved, General Harrison will rule like a loving father over all this great people.

(Archbishop Spalding to Mrs. Coleman.)

BALTIMORE, December 26, 1870.

MY DEAR MRS. COLEMAN,—As I am not a civilian, *but* a clergyman, I feel some reluctance in complying with your request to write out the substance of what I related at the elegant breakfast of our mutual friend, Dr. Samuel D. Gross, in Philadelphia, on the 9th of August, in regard to your venerable father, John J. Crittenden. I recalled that reminiscence as a Kentuckian, whose State pride was all aglow when remembering an incident among the popular forensic efforts of one of Kentucky's most eloquent sons. The facts, briefly referred to on that occasion, were, in substance, as follows :—Finding myself accidentally in Nashville, in August, 1840, whither I went for purposes of recreation, I was induced by my friends to attend the great Southwestern Whig Convention. Mr. Crittenden was to be the chief orator of the day,—Mr. Clay having spoken the day before. I went, *not* as a politician, for I took no interest in politics, but as a Kentuckian, anxious to hear a brother Kentuckian speak, and I was well repaid. Though thirty years have elapsed, I have not forgotten the deep impression produced upon my mind by one of the most brilliant and impassioned bursts of oratory it has ever been my privilege to listen to, either in Europe or America. The whole scene is before me now, *fresh* and *vivid* as on that morning when I stood enraptured by your father's eloquence. I still hear his silvery voice; I still hear the acclamations of thirty thousand people, whose very souls he commanded and bore along with him throughout his masterly oration. Mr. Crittenden had taken a low stand upon the platform, and I still hear the cry, "Higher, higher, Mr. Crittenden! Go up; we wish to see your *whole stature*!" And as he ascended higher upon the stand, so he rose higher and higher in eloquence. He took up every cry of that vast audience (as, when he was about to close, they threw to him first one and then another of the great political questions of the day) and rang the changes upon it, becoming more and more grand in eloquence at every step of his physical and moral elevation, showing that he and his audience were *one*. I particularly remember his comparing the outcry of the people for a political change to an avalanche rushing down from the summit of the Alleghanies to the East and to the West, and bearing all before it. This brilliant figure was carried out till the immense multitude made the welkin ring with their applauding shouts. Seldom have I witnessed such a success. I well remember, also, the acclamations with which Mr. Clay and himself were greeted by the multitude on their departure from Nashville. Mr. Clay spoke *first*, from the guard of the steamer, with his usual grace

and eloquence; then the cry was, "Crittenden, Crittenden!" Your father stepped forward, and in his most happy manner he said (smiling and bowing to Mr. Clay), "I suppose this flattering greeting is chiefly owing to the *good company* in which I have the privilege to be found?" "*Not at all!*" shouted the multitude. "Not at all; it is for yourself! Come again,—come alone next time, and we will prove it to you!"

This, my dear Mrs. Coleman, is the substance of what I related at Dr. Gross's of the great Southwestern Convention.

Faithfully yours,

M. J. SPALDING,

Archbishop Baltimore.

(Complimentary Resolutions as to the Trial in Baltimore of R. J. Breckenridge.)

At a meeting of the Board of Trustees of the Second Presbyterian Church of Baltimore,—the first that has taken place since the trial of their highly-respected pastor, the Rev. Dr. Breckenridge, for an alleged libel on a certain James,—it was considered to be both proper and necessary on the part of this Board to express their opinions and feelings in regard to that matter. Accordingly, several resolutions were moved, seconded, and unanimously adopted; one of which is as follows:

*Resolved*, That the most sincere and hearty thanks of this Board and of the whole congregation are justly due to the Hon. J. J. Crittenden, of the United States Senate, who so promptly left his seat in that honorable body at the call of friendship, to interpose the ægis of his talents and his fame, in order to cover the head "of one whom he had known from his earliest boyhood, and known him to be every way worthy of his best exertions."

And nobly did he sustain the high reputation which preceded him here by his masterly and powerful arguments, and by his chaste and manly eloquence. His speeches will long be remembered by the citizens of Baltimore as fine specimens of oratory, and they most cordially unite with their fellow-citizens of the West in assigning to Mr. Crittenden a distinguished rank among the most profound lawyers and the best public speakers in America.

This Board considers it to be the glory of the legal profession, that in the worst of times the cause of truth, justice, and innocence never wanted able and disinterested advocates,—a position so illustriously exemplified on the present occasion, and to which the present triumph may justly be ascribed.

BALTIMORE, April 2, 1840.

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(J. J. Crittenden to Mrs. Lucy Thornton.)

November 12, 1840.

MY DEAR SISTER,—I cannot tell you how much I was gratified by the receipt of your letter; you atone so handsomely by your flattering excuses for your delay in writing that I *not only pardon it*, but am tempted to wish for a little more of your neglect to be atoned for in like manner. I had the happiness of meeting with your friend, Judge Hopkins, at the great Convention at Nashville, and of making the acquaintance of many other interesting and agreeable gentlemen of your State. How is it that with so many very clever people your State should be so Locofochoish? Since your election in the summer, I have not allowed myself to expect anything from Alabama in the great presidential contest. I shall give her the more credit if she shows herself superior to Van Burenism, with its patronage and spoils. With or without you, we shall elect Harrison. Whatever course your State may take, I suppose we must admit you to a share in our *victory*, as you talk so *patriotically* on our side. We shall, therefore, be glad to see you in Washington as soon as we are *fairly in possession of the White House* and the Capitol, which, without a special Providence to the contrary, we humbly think will happen on the 4th day of March. If I could say it without flattering you too much, I should say you have cause to be proud of your children. I make an exception of your little Bess, who ought to have been a boy, though I suppose that is not her fault, and she ought not to be blamed for it. Are you not *proud of old Kentucky*, your native State? Her majority for Harrison will be twenty-five thousand. Let any State *beat that* if she can! Kindest regards to Mr. Thornton.

Your affectionate brother,

J. J. CRITTENDEN.

Mrs. LUCY THORNTON.

(Thomas Corwin to J. J. Crittenden.)

LEBANON, November 20, 1840.

DEAR SIR,—I received a week ago your kindly letter of congratulations, and have just now bethought me that I must say a word or two by way of reply. I feel uneasy about the future, and scarcely know why. I perceive, in various quarters, newspaper instructions as to the principle on which the President should construct his cabinet, and *this* from some of the most respectable of our prints. Among other things, it is strongly insisted on that no member of the cabinet shall be taken from either branch of Congress. I do not object to this *principle*, but it seems to me to be carried further than has yet been contemplated by anybody. If this is to be the rule, will it not limit

the range of choice, as matters now stand, to a most inconvenient point? I should be glad to know whether you would accept a cabinet appointment; and, if so, *what* place you would prefer. I could give you a satisfactory reason for this. I do not suppose that Mr. Clay would take *anything* General Harrison could give him. I feel anxious that some I know should be near the President, for the reason that I should carry about with me an assurance that there was one honest man to give counsel when needed. I dare say you will think all this *arrogant*. Well, be it so; but you ought to remember that I have made more than *one hundred* regular *orations* to the people this summer; that I have, *first* and *last*, addressed at least seven hundred thousand people, men, women, and children, dogs, negroes, and Democrats, inclusive; that I have made promises of great *amendments* in the administration of public affairs, and I do not wish to be made out liar, fool, or both, by the history of the first six months of the *new era*. I have the utmost confidence in *Old Tip*, but I know also that his cabinet advisers will and ought to have great weight with him. Pray let me hear from you in *confidence*, *if you so wish it*.

Yours truly,

THOMAS CORWIN.

Hon. J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, November 30, 1840.

DEAR CRITTENDEN,—General Harrison is to return here to-morrow evening, and to dine at the *Palace* with the electors. The arrangement was that he was to dine with Peter Dudley with the electors, and I was one of the invited. It seems he has changed the *venue* without notice. It's all right! I understand he had a hard time in Lexington. I hear the strongest movement has been made upon him to appoint C. W. Postmaster-General, and the young D. private secretary. I don't believe it! When here he made two or three attempts to *chat* with me, but was interrupted. I think *then* he talked in the right strain; how he feels now can't say. Apprehending he might be fed too highly during his sojourn in Lexington, and possibly need a physician, I told Dr. Dudley *how to treat his case*. The doctor is a man of science, and if there is any difficulty in the treatment of the case, he will apprise me. I am a good doctor, of long experience in all diseases of the brain as well as of the stomach. I am overloaded with petitions; at least four have been *poked* under my nose since I commenced writing. What a charming thing this government business is! I know you want to be my successor, and, if you behave yourself well, *I will*

*appoint you.* The office ought to be held by a good Christian man of meekness, patience, and humility. We have had all sorts of venison dinners and suppers since you left us. There has been more eating done in Frankfort during the last ten days than you *ever heard of*. Electors are pouring in upon us from all quarters. A few words of instruction, by way of practical improvement: *Take strong hold,—don't be too modest.* I know what I say.

Your friend,

R. P. LETCHER.

Hon. J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

December 14, 1840.

DEAR CRITTENDEN,—As I told you, your election to the Senate will take place on Wednesday. It may be that some gentlemen will press you hard to say whether you will hold the station or resign it before the legislature adjourns. Some wish, no doubt, to have an election this session. Should you go into the cabinet, I do not wish to be under the necessity of appointing your successor; but still, let me tell you, take your time,—view the ground, and *don't be hastened*. If, after mature reflection, you can see your way clear, I would be pleased that the legislature should know the fact and make an election, *but* understand well what you are about. The old D. is butting himself against some resolutions, offered by Pirtle, in favor of a national bank. He has been speaking an hour or two. When will wonders cease? He will be tired of his honors before this session closes. I understand he says, "That Harrison's cabinet will be a *Clay fixing, out and out*, and that it will all *go down*. Crittenden is to go as Attorney-General (Clay's work), and he can't hold out twelve months," etc., and some other little compliments he paid you, which it would make you too proud to repeat. Since the young D. returned from his *scout* after Harrison, the old fellow is in a bad humor. There are many very uneasy souls here lest W. should get some place. You have no idea of the feeling of hostility created by the conjecture that he was to be provided for. I *entertain* no personal feeling against him myself, but what I tell you is *so*.

Truly your friend,

R. P. LETCHER.

## CHAPTER XI.

1840-1841.

Pension to Hannah Leighton—Pre-emption and Distribution—Letters.

IT is generally known, that on the evening of the 18th of April, 1775, the British army left Boston to proceed to Concord, where the colonial stores were collected, and to seize them. This was the commencement of the war. The morning of the 19th this intelligence had been communicated to a considerable distance by the use of torches, tar barrels, and other signals; and before noon Isaac Davis, a young man of eighteen or nineteen years of age, captain of a militia company, was on his way to protect the colonial stores. Isaac Davis was the husband of Hannah Leighton. Before the British troops could arrive at Concord they sent forward a party to take possession of two bridges on the Concord River, which were situated three or four miles apart; and this was known at an early hour for many miles around. Isaac Davis with his company were soon under arms and on their march. They arrived at Concord by a road that led to the lower of these bridges, and there on the right and on the left were seen other collections of Massachusetts troops, but there was no organization amongst them. Davis, however, kept on his course; before he reached the bridge admonitory shouts were given to the militia not to approach; this was disregarded; the British fired, and several men fell; Davis pressed forward, and as he neared the bridge the British fired, and he fell. In the contest that ensued, the British were driven back to Boston. Davis's widow married a man by the name of Leighton; she was ninety years of age, was penniless, and asked relief from the government.

Mr. Calhoun said he considered the pension-list no more than a great system of charity, and that the pension to men for

six months' service was an imposition; to call it a pension was a fraud on the public; it was under the name of charity, but its true name was plunder.

Mr. Crittenden said: I have been under the impression that this bill had passed through both houses of Congress at the last session. Am sorry to find I was mistaken. It is vain to say that this case is like every other case, vain to tell me that this can be tortured into a precedent which could be abused. This case stands by itself, morally, socially, indeed, in every point of view.

It is an application in favor of the widow of the first man that fell in the Revolution, when there was no regularly organized government. That man, stirred by his own patriotism, without a country, I may almost say, went forward to *make*, and then to *defend*, that country. Shall I, then, be told that this case would not be distinguished, both in the hearts and reasons of men, from the case of others under an organized government? Such a statement cannot reach my understanding or my feelings. I hope the bill will pass, and that this nation will no longer remain under the reproach of refusing a piece of bread to maintain this poor widow of a Revolutionary officer who received his death-wound under such circumstances. I shall call for the ayes and noes that I may record my vote; and if these are abuses, let those who commit them take the responsibility.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, January 1, 1841.

DEAR CRITTENDEN,—One word: I have just received and read your letter to a few good friends who happened in my office. Your warm expressions of gratitude to your State for the kind manner of again electing you to the Senate made the *tears* run down their cheeks. I could hardly read it in an audible voice. I have heard no one of any sense say you ought to resign before you actually accept some other office. Do nothing from motives of *delicacy*. I am persuaded you ought to run no risk whatever. Suppose General Harrison should die before the 4th of March, what might be your condition then? Suppose your associates in cabinet should be anything but agreeable to you, how would the matter stand? There is some hazard in resigning, and none by holding on. A *safe* course in *this* life is the better course. I again repeat, do nothing to relieve me *from embarrassment* (in case of a called session), to fill the vacancy. I am ready to *act*, or *not to act*, as occasion may require, and care nothing about responsibility, or as little as I



ought. All well. Went last night to a party at Judge Brown's. To-day, have a *small* dining-party of *thirty* myself.

Your friend,

Hon. J. J. CRITTENDEN.

R. P. LETCHER.

On the 5th of January, 1841, Mr. Crittenden proposed an amendment to the pre-emption laws; he thought that before granting to foreigners any of the privileges provided by the bill, they should record evidence of their intentions to become naturalized. The advocates for the bill had urged its passage upon the ground that the foreigner exposed himself as a bulwark to guard our frontier. Mr. Crittenden declared the American people were not yet reduced so low as to offer mercenary rewards to strangers to bribe them to expose their bosoms as a rampart against a foe. Not "against a world in arms" would *he* seek such protection, much less against a horde of naked savages. He contended that the soil of the United States belonged to the citizens of the United States. He was the son of a pre-emptioner, was born on a pre-emption, and was ready and willing to give a pre-emption right of three hundred and twenty acres to every real *bona fide* settler who was not worth over one thousand dollars. As to a distribution of the proceeds of the common estate in the public lands, Mr. Crittenden always contended that the people had that right, that it had not been denied, and could not be disproved. In a speech made by Mr. Crittenden on pre-emption and distribution, he alluded to Mr. Benton's having stated that the presidential election of General Harrison was brought about by bankers and stockbrokers in England. Mr. C. declared that the result of the late election was not the effect of British gold, but the *sense* of the American people as to the management of their public affairs. The expression of opinion came from the *old genuine Republican stock*; it was a *spark* from the old Revolutionary flint, and had blown the gentleman "*sky high*." He hoped they would not, *now* that they had reached the ground and were rubbing their bruised and broken shins, try to disguise the truth to themselves. The people were coming on the fourth of March, and bringing the man of the *Log Cabin* with them. The Van Burenites were puzzling their heads to account for it, but we will work out the sum for them. The honorable gentleman from Missouri seemed

to think that if the States once lapped blood during this process of distribution it would eventually become their common food, and the general government would be stripped of its revenue. The general government was the offspring of the States, and the States were not vampires; they would not feed upon the strength and empty the veins of their child.

The following letters, received and written by Mr. Crittenden, explain fully the circumstances connected with his re-election to the Senate, and his immediate resignation, to take a place in General Harrison's cabinet.

General Harrison was elected President, and took the oath of office 4th of March, 1841. The President called an extra session of Congress, to meet the 31st of May, but did not live to see it meet; he died on the 4th of April, 1841.

(John Bell to Governor Letcher.)

WASHINGTON, January 13, 1841.

DEAR GOVERNOR LETCHER,—I presume White keeps you advised of all the *on dits* of the day here,—of the *under-current* plots and *counter-plots*, etc.,—so I shall say nothing of them. Of myself I will say, that I believe for the whole time since the opening of Congress the *rank* and *file* of our party here have been strongly in favor of my going into the cabinet. With not a few the feeling has been a positive one, not of mere acquiescence. Still, the great leaders evidently hang back.

Both Clay and Webster would be glad to have some more active or unscrupulous partisan (I know not which) than either of them think I could be made. Webster thinks I am, or will be, a decided partisan of Clay, and the latter thinks I would not go far enough, or be bold enough in his service. This is the gospel truth of the matter.

It is either so or General Harrison himself has objections, for I have learned that he, or his friends about him, have been long since well advised of the course of sentiment in regard to me. Yet the War Department is still held up for the further development of public sentiment. I am growing pretty sick already of this thing of *office* in my own case, and the increasing tide of application from new quarters that daily beats against my ears gives me spasms. In truth, I begin to fear that we are, at last, or rather that our leading politicians in the several States are, chiefly swayed by the thirst for power and plunder. Would you think that Senator Talmadge is willing to descend from the Senate to the New York custom-house? This is yet a secret, but it is

true! God help us all and keep us, I pray. I fear to speak of the list of congressional applicants.

You gave me from the 25th December to the 4th March,—two months' time on the draft! Great stretch of liberality! Don't you think so? Much I got by the liquidation. Do you suppose the 4th March is to put me in funds? Be ashamed!

Yours truly,

JOHN BELL.

P.S.—It has been a great mistake in General Harrison not to come on sooner. We have great questions of policy to settle upon before we separate on 4th March. He will be too late to have anything well considered before we have to break up.

(R. P. Letcher to J. J. Crittenden.)

Tuesday Morning.

DEAR CRITTENDEN,—I have been too constantly occupied day and night to write to you. This, however, is the less to be regretted, as the intelligence which you have received from a hundred different persons of your election to the Senate, *is*, or ought to be, sufficient to fill you with joy for the next six years. The plain fact is, taking into consideration the whole manner and matter of this election, it must be set down as the greatest triumph of your life. To beat a candidate for President and Vice-President,—all at the same time, by such a majority,—after so much boasting and parading, and threatenings to carry so many of his own party, is just about the severest operation I ever saw. I am told the *old cock* is very much dissatisfied with having been *run*, though there is no doubt he fully consented to the arrangement. This election has created quite a heart-burning with the whole squad of *Locos*. The impression is gaining ground that the affair was arranged to kill the Colonel for the benefit of the little Dutchman. He was brought to the stake and burnt for the honor and glory of Van Buren, so say many of his friends. The truth is, he is *dead* and damned forever. I believe they have recommended him to be brought before the great Convention, and to submit patiently to what is then and there done to him. All a farce! Nine out of ten of the Democratic party are for Van Buren. There will be a hell of a quarrel before long in "*these diggings*." I had a fine saddle of venison sent to me *last night*, which is to be eaten to-morrow night. My wife wishes you could be present upon the occasion.

Most truly your friend,

Hon. J. J. CRITTENDEN.

R. P. LETCHER.

(J. J. Crittenden to R. P. Letcher.)

SENATE, January 11, 1841.

DEAR LETCHER,—Though I feel all the pangs “that flesh is heir to” at the idea of even the least apparent separation of myself from good and noble *old Kentucky*, I suppose the probability is that I shall, for a time, quit her immediate service to take the office of Attorney-General. I say probability, because the state of the case remains essentially as it was, subject to all the circumstances and contingencies that may change the views of General Harrison, or may influence my own judgment when the time comes for effective decision. As an honest man and politician, I ought to know who are to compose the cabinet, and some other things, before I commit myself as a member of any administration. And these matters I must, to a reasonable degree, ascertain before I act. I shall, I think, be enabled to *act* as I ought soon after General Harrison reaches here, and in time to enable my successor to be here on the 4th of March. It may be of importance that Kentucky be fully represented on that day. It is a matter of regret to me that, if I should resign, my resignation should not be made to the legislature, and that it may devolve on you the *responsibility* of making an appointment. But it may be that I cannot help it: and, indeed, the probability is that I cannot avoid such a result. Since I began this letter I have become party to a hot debate that is now going on in the Senate. Farewell.

Your friend,  
J. J. CRITTENDEN.

(J. J. Crittenden to Orlando Brown.)

WASHINGTON, January 17, 1841.

DEAR ORLANDO,—I have just received your letter of the 8th instant, and before this I trust you have received a long letter that I wrote you some time ago. I do not remember how long ago it has been, but I should say long enough for you to have received it before the date of your last. It may be that you have lost it altogether in the great mail robbery that took place some weeks ago between this and Wheeling. I am not accountable for that, and you will, therefore, so far as I am concerned, please to retract proportionably from the scolding you have directed against me; and my present diligence in answering will surely protect me for awhile longer.

I learn from my wife that both you and she are somewhat indignant at the frequency of my letters to Letcher. Isn't he a governor? and has he not at this time the management of two governments (the general government and government of Kentucky) on his patriotic hands? and does not all this require a very

active correspondence? Ah! when you become a governor, you will then know the difference between governors and common folks. In one word, I am for you as governor of Iowa; and I shall not, as lazy lawyers often do, *submit* the case; I shall *argue* that case; I shall try and give Chambers some other directions. We are old friends, and I can do as much with him as almost anybody else can. We now expect General Harrison here about the first of next month. In the mean time there seems to be a great pause in the affairs of men, as if every one was holding his breath. He will bring along with him such a storm as old Æolus could hardly raise. In anticipation that the houses of the city cannot accommodate all that will be here, the Baltimoreans are now engaged in erecting, near where I am, a log cabin, about one hundred feet long, for their reception. I believe we have done all the cabinet-making that we can do here before Old Tip's arrival. It seems settled here that Webster, Ewing, and myself are to have places offered to us; and as to the other cabinet appointments, nothing is known here, nor is there any very settled or definite opinion or preference among our politicians.

Very little business, I think, will be done by the present Congress. We can't do what we would, and the Van Buren men, who are mustering for opposition, will leave us as many difficulties and embarrassments as they can. We apprehend that they intend to leave us in debt and without money. How does Letcher bear the afflictions that Mr. Wickliffe has made him *heir* to? To me he pretends to laugh over them like a philosopher. And how is D. succeeding in his new career? He must seem a strange figure to those that have observed him in past times and past scenes. He appears to be *advancing* backward about as rapidly as he ever went forward. He must find a wonderful confusion of tracks on his path. Remember me to our friends. Thank God, they are so many that I cannot conveniently name them all. But you and they will know who I mean. Tell Mason he is a lazy fellow, and to his wife and your own present my most respectful compliments.

Your friend,

ORLANDO BROWN, Esq.

J. J. CRITTENDEN.

(Letter from J. J. Crittenden.)

January 25, 1841.

DEAR LETCHER,—Yesterday brought me your letter of the 16th inst. I feel for Combs all the esteem and sympathy that you or any of his best friends can entertain, and I stand ready to endeavor to do whatever can and ought to be done in his behalf. I shall bear his case carefully in my memory. But

what can I do? I begin already to perceive that even he who has power to dispose of all the offices, is only made to feel more sensibly the poverty of his means to satisfy the just claims of his friends. Although, as yet, it does not seem to me that any extraordinary *avidity* for office has been disclosed, yet I must confess that the number of *claimants* far surpasses my expectation. With this mass of claimants, I hope that no one will confound our friend Combs; but still, they create obstructions and embarrassments in making proper selections.

All I ask of my friends is not to *overrate me* or *my means*, and to be sure I shall never be found wanting in any proper case, when the interest of a friend is at stake.

I am quite amused at Hick's becoming one of your visitors and companions. You must remember that if, as is very likely, he should become troublesome to you, it will be your own fault; and you may remember, too, that you will not find it so easy to dismiss him from office.

*Inter nos*—I had hoped that Harrison's arrival here might enable me with propriety to determine on my own course, and to resign, if it became necessary, in time for my successor to be here by the 4th of March. But I doubt now whether it will be either in my power, or proper for me, to send you my resignation till after the 4th of March. This has been a subject of anxious reflection to me.

The general opinion—the almost unanimous opinion—here is that an extra session of Congress is *necessary* and expedient, and that it ought to be held as soon as the elections will permit it. I was sorry to hear, therefore, that some of our friends in our legislature were in favor of appointing some day, as late as the latter part of May, for our elections; it should, I think, be at least as early as the first Monday in May.

I heard that *Old Master* had a sore foot, and, from the scolding letter I received from him the other day, I *guess* he has a *very sore foot*. You should call and see him. I gather from my wife's letters that both he and she are made a little jealous of my frequent correspondence with you. And if you wish to suppress a little rebellion, I would advise you to have a little care in the direction to which I have pointed you.

Your friend,

To R. P. LETCHER,  
Governor.

J. J. CRITTENDEN.

(J. J. Crittenden to R. P. Letcher.)

WASHINGTON, January 30, 1841.

DEAR LETCHER,—I feel myself overcharged with dullness tonight, and I must endeavor to relieve myself by pouring out

some of my stupidity upon you. I know no gentleman who can better bear it, or whose cheerful, active spirits, can sooner overcome such visitations. We know nothing yet of "old Tip's" approach, but our information leads us to suppose that he started from Cincinnati on the 26th inst., and will be here in about a week. I hear a rumor within the last hour that our State Senate had laid upon the table the bill providing for an earlier election of our members of Congress in the event of an extra session of Congress. I cannot credit such a rumor. Considerations of the highest necessity, as well as expediency, seem to me to require that the President elect should convene Congress at the earliest practicable period; this is the general opinion. I was present, a few evenings since, at a dinner, where almost every Whig senator was assembled. The necessity and propriety of a called session of Congress was made the subject of general conversation, and it appeared that there was an *entire concurrence* in the measure, and an *almost unanimous opinion* that it was proper and would be found to be *absolutely necessary*.

My belief is that the party now in power, while professing to deprecate a called session, are resolved to leave the coming administration in such a situation that it must be swamped or resort to that measure. Under such circumstances, it seems to me that the friends of Harrison ought to give him every encouragement and facility to convene Congress, and do whatever else the propriety or necessity of the case may require. And in the adverse circumstances in which his opponents will be sure to place the commencement of his administration, it would be most discouraging indeed if his supporters, if Kentucky, should refuse to afford her assistance in the only mode of remedy or defense that may be left him. I do not believe that the party in power intend to make, or will make, any adequate pecuniary provision for the support of the government. They have spent everything. Have delayed and postponed many payments that they ought to have made; and while they will leave to Harrison's administration many of their debts, they will leave the Treasury without a dollar.

Harrison, in my opinion, can succeed only by an energetic administration. He must *go on* and he *must act*. The people expect it, and are entitled to expect it. The fears that some entertain of an extra session are visionary. The real danger is in inaction, and falling behind, and disappointing the high hopes and feelings of the people. This is my judgment of the matter, and I go for serving the people and *not* for attempting to rule them.

I dare say, by this time, you are ready to cry "Enough," and,

according to Kentucky law, that ought to put an end to all further infliction, and so I conclude.

ROBERT P. LETCHER,  
Governor.

Your friend,  
J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, February 1, 1841.

DEAR CRITTENDEN,—Don't forget, for the sake of the Lord, that *best of all good fellows*, Judge Eve; he is overwhelmed with the weight of debt, but sustains himself with dignity, modesty, and cheerfulness. He declares he would almost as soon be *hung* as trouble his friends to ask for office for him. I will write to Webster and General Harrison in his behalf, and refer Webster to *you* for his character and claims. I have been too busy to write, but no doubt others have informed you of the little, mean, culpable manœuvring in this quarter, by a few restless spirits. Keep cool! take pattern by *me*; I am always *cool*; don't believe Old Master,\* he has "*a sore foot*," and does no man justice while he is confined to his room. There he sits smoking and damning everything *but Iowa*. He hopped up here yesterday, and told me he had drawn the most vivid picture of *me*, in a letter to you, that was ever seen. "Ah," said he, "I never wrote as pretty a thing." Did it contain a word of truth? I inquired. "No," said he, "not a word; but that don't mar its beauty." Here he is *now*; has just hopped in out of breath. "Listen to this short article," said he; an answer to a letter in the *Observer*, attacking you, and *gently touching me*. "Will that do?" said Orlando. H. says if our young friend is appointed private secretary with the privilege of opening all the letters and writing to the newspaper editors, Crittenden ought to take office in no such concern. So say I, replies Old Master.

Your friend,  
R. P. LETCHER.

J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

February 2, 1841.

DEAR CRITTENDEN,—I did my best to keep your enemy, and all his tribe, off of you, but all to no purpose. You will see his last *love letter* in the *Reporter*, to which I alluded in my hasty letter of yesterday. He wrote that letter himself, in my opinion. Dr. Watson is much excited upon the subject; has received a letter from Lexington, telling him that villainous article ought

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\* Orlando Brown.



to be noticed. The truth is, the old gentleman wishes a change of *venue*, and you may look out for some of his heaviest blows. He is tired of abusing me, and, I was told the other day, he undertook, with a bad grace, to praise me in the Senate. Upon hearing this fact I requested one of the senators to *call him to order* if he ever *dared* to utter similar language during his natural life. Laying aside all jokes, and in sober earnest, he and his set have been lavish of their abuse upon you, but in fact I pay little heed to such poor stuff. I know this much, however, many of your friends, both in and out of the House, give him the very *devil* upon all occasions, and his coadjutors are not spared. Since God, in his infinite wisdom, created the heavens and the earth, such another set of untiring intriguers never existed as are now walking abroad. Mark me: I am not in a passion by any means, and have no "sore foot," but I speak my deliberate opinion of the matter. Hick has been here to-day; he gives notice of his appearance by a loud laugh. "Banish him!" No! he sha'n't be removed from office. I would rather see him than any ten members of the legislature. Oh, yes, Mrs. Crittenden and Orlando were getting quite jealous; I often pretended to get letters when none came, and would send word that if they wanted to hear from you *every day*, they had only to send up to the office of the Secretary of State. Orlando was merry over your letter. "Oh," said he, "if you have two governments under your charge, the thing is explained." Here comes five or six members! How happy I am to see them with their petitions!

Yours,  
R. P. LETCHER.

(J. J. Crittenden to R. P. Letcher.)

SENATE, February 9, 1841.

MY DEAR LETCHER,—Yesterday and to-day I received your letters of the 1st and 2d inst. Let my wife and Orlando say what they will, and be as jealous as they please, you are an excellent correspondent and entitled to the highest consideration. The D. cannot harm me, if he would. All that surprises me is that he should have any disposition to injure or attack me. I am not conscious that I ever gave him cause. On the contrary, I have served him and his. Whatever of malice he has to me must be unmixed and primitive, and the sole product of his own heart. I say to myself "that he cannot hurt me unless I afford him much better cause for attack than he now has." I would have you to know that I am more of a philosopher than to be much disturbed or perplexed by such attacks. From the apprehensions you express for me, I cannot help inferring that you

have suffered a good deal from the patriotic and *philosophical* animadversions of the senator and his organ at Lexington. Orlando's account of your mingled smiles and contortions, your inward grief and outward cheerfulness, under the operation, cannot be altogether fictitious. For myself, I am a cool, unimpassioned man, looking on in calm humility at all such personalities. I wish I could impart some of this moral fortitude to my suffering friends.

I do confess that, from all I have heard, I do occasionally feel some natural resentments against him and his would-be party. "I do not lack gall to make oppression bitter." The Scripture teacheth us to love our enemies, but it does not go so far as to require us to love perfidious friends. I take my stand on that ground, and it will puzzle any one to dispute its orthodoxy; I conclude that I am not bound to love the old gentleman. You, too, will be justified in going that far, but I admonish you not to pass that Christian limit. The gentleman is, doubtless, a purely patriotic old man, and member of the church, and what may appear to vulgar eyes to be selfishness or malice must, in him, be regarded as mysteries of patriotism and piety. I trust that this conclusion will suffice to convince you of the good state of my feelings. I have addressed to you, under cover to my friend C. S. Morehead, two letters, the *one* or the *other* to be delivered, as the legislature *may* or *may not* happen to be in session. The reasons for this are explained in my letter to Morehead. Before this reaches you that communication will, I hope, be received. The circumstances had occurred and the period arrived, which I have constantly looked forward to as the only state of case in which I could *properly act*. I feel it a *duty to act* and to *act promptly*. Be assured I have not only *not* been hastened, but entirely unmoved by any of the exhibitions of impatience which appeared in certain *quarters*. You are not to regard this, by any means, as even a *constructive* resignation. My purpose on that subject will be made known to you by my letter, which you will receive through Morehead. Old Tip arrived here to-day amidst a storm of snow and of people. He is in the hands of the city authorities here. I have not yet waited on him, but am to see him by appointment this evening. Write to "Old Tip" a strong letter in favor of *Old Master* and inclose it to me, so that I have it by the fourth of March. Farewell.

Your friend,  
J. J. CRITTENDEN.

R. P. LETCHER,  
Governor.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, February 9, 1841.

DEAR CRITTENDEN,—Promises, you know, must be complied with. Keep cool; a *warm, decided, whole-enduring*, everlasting friend of yours and of the Whig cause, has a call to go to Missouri and aid them in their political struggles against *Benton & Co.* I believe he is inclined to obey if he can be made register or receiver in the Platte County. You know him,—he was once lieutenant-governor of Missouri, and deservedly popular. I like him, and he will make a faithful officer in any station. Mr. Clay must not consider himself *slighted* if I do not write him a similar letter upon this occasion. I hope you will explain to him that I mean *no offense*; he is just as welcome to throw in a word for my friend as if he had been specially solicited. I received your letter of the 30th this morning. I hope you will often get into a similar mood and inflict similar letters upon me to relieve yourself. Some of the *chaps* who wished to administer upon you before the breath left your body have been, I learn, a little cunning,—have written letters to members of Congress pretending that everybody here thought you ought to resign before you accept another appointment; these letters were to be read to you, and to produce the *desired effect*. I heard of *that game* the other day. Don't give yourself a moment's uneasiness. I heard, this morning, the old ——— swore if they did not take care he *would resign* his seat. How unfortunate that would be to the country, and how *cruel to me!* Do you cry "Enough?" Then get up like a man, give me a list of the cabinet, I want to see *how* it looks. I wish I had the making of the *critters*. Don't Bell look scared? Wise is a case. *Clayton*, I have heard nothing of him this winter; he is the best fellow in the world. I want to see his name on the list. Don't speak of Thad. Stevens; rumor says he is to be one, but if the old gentleman talks over the matter, *Thad. can't succeed*. Take care of *our little darling*, the young ———.

R. P. LETCHER.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, February 19, 1841.

DEAR CRITTENDEN,—The legislature has adjourned, and the village looks gloomy. I feel as if it was a funeral occasion. They made a senator this morning,—Governor Morehead is the man. This was unexpected to me. From all I have heard during the progress of the *run*, the result was produced by a violent and heated state of feeling between the friends of Buchner and Calhoun. The result is by no means dissatisfactory to me. Considering the governor's condition, to say nothing of

his amiability and true devotion to the Whig cause, no one will, I think, regret his success. I am gloomy this morning, indeed I may say *sad*. You have not forgotten how a boy feels when his associates all separate from him the last day of the school? This is *now* my case. I shall write a letter for Old Master to old *Tip*. Now, look here! Woman with a crying child has just come in to get her husband out of the Lexington jail. This is too bad! It is a case which would call into requisition all *your* Christian virtues.

JOHN J. CRITTENDEN.

Your friend,  
R. P. LETCHER.

(Letter from J. J. Crittenden.)

February 20, 1841.

MY DEAR LETCHER,—We have not yet heard of your reception of my *official* communication to you. It will produce, of course, a considerable excitement in the legislature, and among the competitors for the succession. It is quite probable, I think, that though my course may disprove the charge of conspiracy between us, that is, of withholding my resignation till adjournment of the legislature, it may give rise to another, and that is, that, upon some collusion between us, the thing has been so timed as to take some candidate (our friend C. for instance) by surprise. I must cut your acquaintance, it subjects me to so many suspicions; all the charges against me, I find, are founded on the presumptions arising out of my intimacy and connection with you. You are the great contriver and politician that has seduced my innocency. Our amiable friend, Mr. W., must have taken this view of the matter. I am sure that of me, taken alone and in the abstract, he entertains the kindest and highest opinion. You have, in some way, sadly deranged his notions as to persons and things. His proposed amendment to elect members of Congress to serve till the first Monday in August is a fine specimen of constitutional learning and legislation. He is a capital old fellow, and I don't know what you would do without him if Providence should remove him from your councils. You would be left in *darkness*. I trust in Heaven that the legislature will not separate him, or any of his adjuncts, from you, by sending him or them to my place in the Senate. You will perceive by this I still retain a friendly regard for you, notwithstanding the various charges and attacks that your acquaintance has exposed me to; and in despite of all the past, I must still subscribe myself,

Your friend,  
J. J. CRITTENDEN.

P. S.—Old Tip is absent in Virginia. The cabinet he has

designated meets with general approbation here. At the instant there was some little sensation produced by some of the appointments (Granger and Badger), but this has subsided, or is subsiding, and, so far, we shall have a fair start. General Harrison, so far as I know, has not here announced any resolution as to the measure of a called session ; but my own impression is confident there will be one. You need not fear that the little clique who are opposed to you at home will have any undue influence or favor here.

J. J. CRITTENDEN.

(J. J. Crittenden to his daughter, Mrs. A. M. Coleman.)

SENATE, March 2, 1841.

MY DEAR DAUGHTER,—It is impossible for me to convey to you any just idea of the incessant occupation of my time. Between the court, the cabinet, the Senate, many friends, and a host of office seekers, I can hardly say that my life is my own, much less one moment of time. It seems to me that if I had the sole disposal of all the *offices* and *honors* of the government, I could not be more hunted after, and *hunted down*, than I am. I am hardly sure of keeping my senses, and yet I reproach myself for not writing to you in despite of all obstacles. Your letter of the 23d of February, just received, has brought back upon me an increased amount of self-reproach. You know, however, that my silence cannot proceed from any want of affection for you. You know that I love you dearly and with all my heart. You know now how the cabinet is to be constituted. My position in it is exactly that of my own *choice*,—the only one I *would accept*. I could have selected another if I pleased. General Harrison's offers to me were very kind and flattering. I was really imposed upon by *Bob's joke* ; I could not be angry about it, and I can *now* laugh at it ; but I feared that you were all about to make some concerted *attack* on General Harrison in my behalf, and that would have grieved me. It was unnecessary, and I would have no solicitation for me. I am impatient to be at home. My new duties will soon call me back, and here I must *fix* my residence.

Kiss the children for me.

Your father,

J. J. CRITTENDEN.

Mrs. A. M. COLEMAN.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, March 4, 1841.

DEAR CRITTENDEN,—You have cut my acquaintance by way of soothing D., and what have you gained by it either in this

State or the United States? I see that, just at that time, you drew upon yourself a burst of indignation from the galleries, and a mighty rebellion would have been the consequence but for the generous and humane interposition of your friend, Tom Benton, who had the goodness to cry out with a loud voice, "Take away the blackguards! out with the blackguards!" I have read it in the papers this moment, and very good reading it is. "Old Master" says the riot was occasioned by Preston's bestowing a high compliment upon you, which created the disturbance in the galleries; but *he* don't know everything.

However, Benton saved you, and I feel just the same kind gratitude to him for his timely interposition in your behalf, that I felt to the old D. for his special attention and benevolence towards me. "Out with the blackguards!" said Benton. "Save the ladies!" said Clay. Sensible to the last, never unmindful of the ladies in any emergency. It is well for Benton that his order was not strictly executed. However, you owe him a debt of gratitude, that's certain, and I hope you will always acknowledge the obligation, though you may not live long enough to discharge it. *He* must have the offer of a big dinner when he comes through this State. Kentucky will never fail to treat the benefactor and protector of one of her distinguished senators with becoming and marked respect. This is the 4th of March. What a great day this is in the city! Yesterday was a great day also to the nation!—the last day of Van Buren's reign! The Lord be praised for all his mercies! Van Buren went out of office yesterday, and so did two fellows go out of the penitentiary. I turned them out; they had but *five days left* to hold their places, and I thought it was but just and right to emancipate them at the same time Van Buren was emancipated. When will you be at home? How does Bell *look and act, and walk and talk*? I should like to see him very much indeed. Secretary of War I think he is. Well, that's a very good place; I hope it will be well filled.

I must tell you, this is rather the dullest place since the legislature adjourned that the Lord ever made in his six days' work. I should die of ennui, if I had not the pleasure of being annoyed by everybody and everything. Come home and stay here six weeks, receive my instructions, and, if necessary, aid me in making out directions for the governor of Iowa.

I would not be at all surprised if, instead of two governments, I shall have the care of *three* at the same time.

Your sincere friend,

R. P. LETCHER.

## CHAPTER XII.

1841.

Appointed Attorney-General of the United States by General Harrison—Mr. McLeod's Trial for the Burning of the Steamer Caroline—Papers relating to this Trial—Judicial Opinion as Attorney-General on Allowance of Interest on Claims against the United States.

ON the fifth of March Mr. Crittenden was appointed Attorney-General by General Harrison. The trial of McLeod for the burning of the steamboat Caroline was expected to take place in New York about that time.

The British government had avowed the transaction as done under their authority, and demanded the release of the prisoner. At the urgent solicitation of the President, Mr. Crittenden consented to go to Albany and look into the matter, though he considered the undertaking as altogether distinct from his official duty as Attorney-General. The following letters and papers were found among Mr. Crittenden's papers, and possess, I think, a general interest as relating to this important matter :

(J. J. Crittenden to Robert P. Letcher.)

March 14, 1841, 11 o'clock at night.

DEAR LETCHER,—See what sacrifices I make of time and sleep to my correspondence with you! God knows how you manage two governments and yet live. For my part, with only a small portion of one resting on my shoulders, I can scarcely find time to say my prayers. I am in arrears to you several letters, and I acknowledge the debt. I have the best of all excuses: it has not been in my power to pay up punctually. To-morrow I start for the remotest part of Western New York to attend the trial of McLeod, indicted for murder and burning the steamboat Caroline. You understand the case: the British government avows the transaction as done under its authority, and demand the release of the prisoner; it has thus become a national affair of delicacy and importance, and it is the Presi-

dent's pleasure that I should attend the trial. This has disappointed me sadly, in deferring my return home. You, too, must be grieved and make yourself very unhappy on this occasion. That will be some consolation to me. I may be absent two weeks on this trip, but I *shall* then return home if I have to run away from office, President and all! We are laboring along and endeavoring to keep the peace among the office seekers; but nothing less than a miracle could so multiply our offices and patronage as to enable us to feed the hungry crowd that are pressed upon us.

I have one sad thing to communicate. It has grieved me sorely. I have been laying my trains and flattering myself that I was making progress towards the accomplishment of our object in making Orlando governor of Iowa. Chambers was to be located here. I was pleased to think *that* was fixed. To my surprise, in the last few days, I have understood that Chambers has changed his mind, and is to go to Iowa as governor, and the indications now are that such will be the result. This is going a little ahead of what is generally known, and you must treat it as confidential; but disagreeable as it is, you must let Orlando know. I like Chambers, and cannot blame him, but he has disappointed me in two respects,—by not staying here himself, and interfering with my hopes for Orlando. Now I must go to bed. Farewell.

Your friend,

ROBERT P. LETCHER.

J. J. CRITTENDEN.

(Paper relating to McLeod found among Mr. Crittenden's Letters.)

My visit to New York in March, 1841, and all my agency in regard to the case of McLeod, was undertaken at the instance of the President, General Harrison. It was inconvenient to me,—my wishes and my interest required my return to Kentucky. I proposed the selection of some other person; but it was insisted on that I should go, and I submitted. It was an undertaking altogether distinct from my official duty as Attorney-General. The object of my visit and the duties enjoined on me appear from the letter of instructions addressed to me by Mr. Webster, the Secretary of State, and drawn up by the direction of the President. I had before received in substance the same instructions orally from the President himself, and it was to his authority and not that of the Secretary that I considered myself subordinate. At Albany I met Governor Seward, exhibited my letter of instructions, and delivered to him the papers therein alluded to as intended for him. We conversed a good deal at large on the subject of my instructions. They were before the governor, and I desired to know what



his views were in respect to the case of McLeod. He was unwilling to direct a *nol. pros.*, and perhaps added that he had no such power; but he stated his entire confidence that McLeod was not guilty, and that the proof was clear that he was not engaged in the expedition against the Caroline, and was absent in Canada when the murder charged against him was committed, and on this ground he must be acquitted whenever tried; and furthermore he stated that if convicted he could and would pardon him, and so avert the threatened war; that the President might rely on his pursuing this course. He professed his earnest wish to act in harmony with the Federal government, but was unwilling, as before stated, to direct a *nol. pros.*, and thought the preferable and best course was to await the acquittal of McLeod by a jury, a result which he considered certain, and that such an acquittal, or proof of his innocence, would be more satisfactory to the community and tend to allay the great popular excitement then prevailing.

Wishing to know, as far as I could, what would be the course of Governor Seward in any contingency, a question was suggested as to the pardoning of McLeod before the trial. The governor was averse to this; it would be unsatisfactory to the community, and still said he could and would pardon him if convicted, and thereby prevent the anticipated hostility. We did, after the examination of Mr. Fox's letter and consultation on the subject, agree in the conclusion that, though his demand was for the *release* of McLeod, then in prison, there was no ground to apprehend that hostilities would be attempted unless or until McLeod should be sentenced and punished. The governor knew that the chief object of my agency in attending the trial was to see that the case was properly placed on the record in the event of a conviction, so as to enable the Supreme Court to exercise its revisory jurisdiction, if it had any. Though I do not know that the governor made any objection to any lawful proceeding having such revision in view, I think he manifested, *if* he did not express, some objection to the Federal government taking any part in the prosecution against McLeod, and perhaps mentioned it as an objection to the appointment of Mr. Spencer as District Attorney for the United States that he had him employed as counsel for McLeod.

(To Mr. Webster.)

I have the honor to make known to you for the information of the President of the United States that, in obedience to his instructions received through you, I set out from this place to attend the trial of Alexander McLeod, which was expected to take place at Lockport, in the State of New York, on the day

of March last. I had proceeded on my way as far as Albany, where I received certain intelligence that the trial would not take place at the time appointed, and that the case would necessarily be continued in consequence of some irregularity or defect in the legal preparations for the trial. It was also said that the prisoner had given notice of his intention to ask for a continuance and a commission to take depositions, etc. Under these circumstances, it was unnecessary for me to proceed further, and, after resting a few days at Albany, I returned to this city.

At Albany the case of McLeod seemed to be a subject of interest and general conversation, and with the distinguished governor of that State and his enlightened secretary I frequently conversed on the same subject; and, disappointed as I was, I think I may assure the President that there has been great exaggeration in the rumors that have reached him of the violence of popular feeling and excitement against McLeod.

At Albany I had the honor of several interviews with Governor Seward, in which I made known to him that the case of McLeod had acquired a character of some national importance and delicacy, in consequence of the recent formal avowals of the British government, and demand for his release; that it was only in this national aspect of the case that the President had any care or concern about it, and that he was only desirous to be fully informed of the truth of the case, and that it might be dealt with and disposed of upon a full view of all the facts, in a manner conformable to the justice of our laws and the character of our country; that he entertained the highest opinion of, and confidence in, both the wisdom and justice of the courts of New York, and, not doubting but that they would dispose of the case properly, he wished that it might be so conducted that all the facts of the case, and questions of law arising out of them, might be on the record, so as to be subject to any revision that the courts of the United States might have a right to exercise and to stand as a perpetual and authentic memorial of facts,—of a case which had become the subject of complaint by the British government, and might become the occasion of still more interesting negotiation and controversy between that government and the government of the United States; that it was for these objects, and not for the purpose of any *interference* in the case, that it had pleased the President to direct me to attend the trial. It would thus appear that he had not been inattentive to a matter which, in possible contingencies, might affect his duties as chief magistrate.

Governor Seward expressed himself anxious to act in harmony and concert with the general government; but I need not attempt

to give you his views as he has himself communicated them in letters to you. From conversations I had at Albany with many intelligent gentlemen, well acquainted with Western New York, and some of them residing in that part of the State, I am sure the account of excitement has been greatly exaggerated.

As to the object of my intended visit to Lockport, it may be proper, perhaps, for me briefly to state the information I obtained from all those sources that were accessible to me at Albany. There can be no doubt that the invasion of our territory, the destruction of the *Caroline*, and the killing of one or more of the unresisting people that were sleeping on board that vessel on the night of her destruction, are regarded by the people of Western New York as a great outrage and insult, and that a deep sense of the injury still prevails in that community, although the excitement of the moment has generally passed away. It was in this temper of the public mind that McLeod, voluntarily coming into New York, and in the very neighborhood of the place where the outrage was committed, proclaimed and boasted publicly in a hotel of his participation in that outrage. By this offensive conduct the resentments of the people were excited; he was arrested, an indictment was regularly found against him for the murder of which he boasted, and he has ever since remained in custody for his trial on that indictment. Public sentiment demands that the law should have its due course, and that if entitled to it on any ground of national or municipal law, he should receive his discharge from the legal tribunals in the regular course of jurisdiction. Any executive interference to prevent or arrest the judicial examination and decision of the case would be regarded with great jealousy and disapprobation. If this case is left to the judiciary, and he is acquitted or discharged upon a hearing by their courts, they would be satisfied. They have no disposition to make him a victim to their vengeance or to see any injustice done him; but now that his case is regularly in the hands of the law, they think it due to public sentiment and to the administration of public justice that it should be disposed of by their courts in due course of law; they desire that his defense, whatever it may be, may be fully heard and justly decided upon,—and the universal opinion seemed to be, that if he were otherwise guilty, the recent avowal, by the British government, of the transaction in respect to which he stands accused, will be received and adjudged a good and sufficient defense. From the professional and public opinion that I heard everywhere expressed in New York, I entertain not the least doubt that whenever his case shall be heard by the proper tribunals of New York, he will be acquitted or discharged, if it shall be

made to appear that the acts for which he is charged were done under the sanction or orders of his government; *that* can only be made to appear to the legal tribunals by some regular course of judicial procedure. It may be well known to the executive, but neither the executive of this country or a king of England, acting upon their knowledge, can enter a court of law and dictate or interrupt the course of its proceedings. The king may cause a *nolle prosequi* to be entered in a criminal prosecution, or pardon a condemned man.

(William H. Seward to Hon. J. J. Crittenden.)

ALBANY, May 31, 1841.

MY DEAR SIR,—I welcome the news of your return to Washington. If it is regarded as worthy of your consideration, you will learn that during your absence a correspondence, not more unpleasant than unprofitable, has taken place between the President and myself concerning the affair of Alexander McLeod. Your memory will retain the views presented to you, when here, concerning the disposition of that subject deemed proper by me, and the fact that it was requested that if those views were not approved at Washington, a further consultation might be had with me before definite action was adopted. You will, I trust, remember that I distinctly advised against any extraordinary proceedings being taken, or with the consent of the government *permitted*, to secure the prisoner's release without a trial before a jury, and that I, with all my counselors, especially advised against the appointment of his retained counsel as district attorney, especially on the ground of its *incongruity* and of the injurious and unseemly effect it would present. From that time no communication, formal or otherwise, was received here until very recently, and in the mean time the course of the government was left to be learned from rumor, until the subject of a supposed collusion between the government at Washington and that of this State, to effect the prisoner's discharge without a trial, became a point of legislative inquiry and a *charge* of the opposition press. While satisfying the legislature and the public on that subject, I, in good faith, addressed a brief letter to the President concerning Mr. Spencer's appearance as counsel, to which I received a kind reply. From that reply I was induced to believe that the subject was viewed as having less importance at Washington than, considering *its bearings* upon so delicate a question, I thought it really had, and that, at all events, my acquiescence in the course adopted would not be proper and safe. I therefore addressed a second letter to the President, in the same kind and confiding spirit as the former. An answer from the President, in any general form, overruling

my opinions (although I should not have been convinced by it) would have ended the correspondence, and, leaving both parties to their proper *responsibilities*, would have avoided all unkindness. The President, however, replied at length in a spirit that seemed to me unkind, and in a manner which required the firmest adherence to my positions and the most vigorous defense of them I could make. I replied accordingly, and his rejoinder is before me, in which (as I cheerfully admit was to be expected) he preserves the same disposition and tone as before. My further reply will go with this letter.

Although I feel that I am injured in this matter in the house of my friends, I care nothing for *that*, but I regret that I am misunderstood. I cannot but believe that the confusion into which things necessarily fell for a time at Washington was the consequence of the death of General Harrison, and your absence from Washington in a season when your explanations would have been useful, has contributed to this result. My object in addressing you is to call your attention to the subject, in order that you may now do whatever shall seem to you to be useful. I do not ask your *interposition*. I have no personal reason for desiring it. I do not ask you even to acknowledge this communication. I should deem it improper for you, as a member of the cabinet, to write me on the subject, except in support of the President, but I think it well, in this informal way, to suggest that the *talent* and *wit* of a Whig administration might be more profitably employed in some other manner than in an unavailing effort to drive me from a course which, in my poor judgment, is required not less by patriotism and the honor of this State than by devotion to the administration itself,—that enough has already been written by the President upon an exciting subject (in regard to which I must take leave to think the feelings of the people must be better understood *here* than at Washington) to do incalculable evil if it should ever meet the public eye. I think that during your visit here you acquired information enough to know what President Tyler cannot know, that in all that has passed I have been firm, frank, and consistent. The course pursued in regard to the same question at Washington has not been so. If you think it well to acquaint the President with what you know concerning the matter I shall be personally obliged; but I desire that it may be understood it is done only as a thing of public importance, and by no means in such a manner as to induce an opinion that I would either solicit notice of a personal grief or carry it into the general account.

With very sincere respect and esteem,  
your friend and obedient servant,

WILLIAM H. SEWARD.

Hon. J. J. CRITTENDEN.

(J. J. Crittenden to his son Robert.)

June 7, 1841.

MY DEAR ROBERT,—Your letter has just reached me, and I am now taking the remnant of a most laborious day to answer it. You requested me to send you ten dollars to defray the expenses of your trip to Harrodsburg on occasion of the celebration of the settlement of Kentucky. I inclose it to you, and am pleased to find you interesting yourself in the early history of your own State. If the fact was not so common, it would appear strange that there should be so many persons well acquainted with Rollin's Ancient History who know little or nothing of their own country. You are reading the life of Alexander Hamilton, and I am not surprised that you should feel great admiration for him: he was undoubtedly a man of the rarest and greatest mental *endowments*; but you should be a little careful of adopting your opinions of Mr. Jefferson from his biography. You must know that Alexander Hamilton and Mr. Jefferson were the great rival and popular political antagonists of their day, and no doubt *felt* and communicated to all within the range of their influence, unfavorable opinions and prejudices in respect to each other. Mr. Jefferson was a man of great genius and learning, and devoted to the cause of human liberty and the principles of free government. There are some things in history, some *specks* in the character of Mr. Jefferson, we must regret; but these imperfections may be overlooked and pardoned, to some extent, in consideration of the great passages of his life, and the many illustrious exertions of his genius in the cause of his country. It does you credit, and shows *taste* and *judgment*, that you have read Chevalier's U. S. with so much satisfaction. It is an able political and philosophical work. It is singular that Chevalier and De Tocqueville should be the two most profound observers and commentators upon our country and its institutions. I am gratified at your taste for history, but take care not to withdraw from your collegiate studies. I wish you to *graduate* with as much reputation as possible. I believe you can obtain the *first honor* if you make *the effort*.

Your father,

J. J. CRITTENDEN.

R. HENRY CRITTENDEN.

(Henry Clay to E. M. Letcher.)

WASHINGTON, June 11, 1841.

MY DEAR SIR,—White was elected Speaker. He does not come up quite yet to my hopes, but I trust he will improve. I took no part in his election. We are in a crisis as a party. There is reason to fear that Tyler will throw himself upon Calhoun,

Duff Green, etc., and detach himself from the great body of the Whig party. A few days will disclose. If he should take that course, it will be on the bank. It is understood that he wants a bank located in the District, having no power to *branch* without the consent of the State where the branch is located. What a bank would that be! The complexion of the Senate is even better than I anticipated, and although Mr. Adams has created some disturbance in the House, there is a fine spirit generally prevailing there.

Your faithful friend,

MR. E. M. LETCHER.

H. CLAY.

This opinion, given by Mr. Crittenden during his term of Attorney-General, under General Harrison, is the only one which will be published :

In respect to your second question, it appears to me unnecessary to go into the general question of interest, or the liability or obligation of a government to pay it. In this instance the single inquiry is, not whether interest ought, in justice, or any principle of analogy, to be allowed, but whether the judge has been invested with any authority to award it; and this depends on the proper construction of the act of Congress of the 26th of June, 1834,—his sole and whole authority is derived from that act. It is the standard by which his jurisdiction must be measured and limited. By the terms of this act he is authorized to receive and examine, and adjudge, in all cases of claims for *losses* occasioned by the troops in the service of the United States in 1812 and 1813. Interest on the amount of such *losses* is certainly a thing very distinguishable and different from the *losses* themselves. It may be that justice would have required, in this case, the allowance of interest as well as of the principal that was lost; but Congress alone was competent to decide the extent of its obligation, and to give or withhold authority for the allowance of the principal,—that is, the value of the property lost, with or without interest. The whole subject was before them for consideration and legislation, and the question of interest was as important in amount as the principal. They did legislate, and provided for the liquidation and payment of claims for *losses*, but made no provision for any claims of interest. The inference, to my mind, is irresistible that they did not intend to authorize the allowance of interest.

It is confidently believed, that in all the numerous acts of Congress for the liquidation and settlement of claims against the government, there is no instance in which interest has ever been allowed, except only when these acts have expressly directed

and authorized its allowance. I feel myself constrained, therefore, to entertain the opinion that, so far as relates to the allowance of interest, the decision of the judge is unwarranted and erroneous.

Very respectfully yours,

Hon. THOMAS EWING,  
Secretary of State.

J. J. CRITTENDEN.



## CHAPTER XIII

1841-1842.

Letters from Clay, R. Johnson, R. P. Letcher—Crittenden's Letter of Resignation of his Place in the Cabinet of J. Tyler—Letter of G. E. Badger—Letters of Crittenden to Letcher.

(J. J. Crittenden to Henry Clay.)

WASHINGTON, August 16.

MY DEAR SIR,—It is understood that the President concedes the power of establishing agencies or branches, with authority to deal in the purchase and sale of bills of exchange, and to do all other usual banking business *except* to discount promissory notes or obligations; that with the assent of a State branches *may* be established, with authority to discount *notes* and to do all other usual bank business. Upon this basis it does seem to me that a bank may be constructed with a larger recognition of Federal authority and of more efficiency than the one which the President has refused to sanction. It should be done by conferring on the bank and its branches *all* the usual banking powers, and then, by restrictions and exceptions limiting them to the basis before stated; there is less danger of embarrassment and error in this form of legislation than in the attempt to limit the powers of the institution by specific description and enumeration of them. I pray you to consider this well, with all the great consequences which attend it, and do whatever your known liberal spirit of *compromise* and your *patriotism* may direct. Mr. Clay can lose nothing by a course of conciliation; his opinions are known to all, and to whatever extent he may forbear to act or insist upon them, it will be regarded only as another and further sacrifice made to his country. Do not believe that the least *selfishness* influences me in anything I have suggested.

P. S.—Consider if it would not be better to drop everything about the *assent of States*, and making the banking power a mere emanation of congressional authority, exclude it from the discounting of promissory notes. The moneyed transactions of men will be put into the shape of bills of exchange, and the bank thus formed may be easily amended by future legislation, if the power of discounting *notes* should be found useful or

desirable. The political effect of settling this matter now and by *your means* will be great.

J. J. CRITTENDEN.

(Reverdy Johnson to J. J. Crittenden.)

BALTIMORE, August 30, 1841.

MY DEAR SIR,—I have just heard, from a source which I know may be relied upon, that Mr. Alexander Hamilton, of New York, who, it is understood, has been for several weeks in Washington and almost an inmate of the President's house, came over *last evening* from Washington to have an interview with Mr. Maher, of this city, and Judge Upshur, of Virginia, who has been in this place several days. Not being acquainted with either of the gentlemen, he obtained this morning an introduction to them. Mr. M. at once introduced the President's course in regard to the bank bill, and heard only the most decided opinions against it from him, which seemed to surprise him, and in a few moments, without more being said of a political character, the interview terminated. He then went to see Upshur, and was with him *in private* for several hours. Now, sir, *our impression is* (that is, the impression of the few to whom these facts are known) *that he has been sent up to sound these gentlemen in regard to a new cabinet*, and Mr. M., in respect to the department *you hold*; so thinking, I deem it due to you—to the friendship existing between us—that I lose no time in making this fact known to you for your consideration. It is exceedingly improbable that the visit of Hamilton could have any other purpose, and, if half the reports we hear from Washington are true, it is almost certain that the object I suggest is true. If you think it proper, you are at liberty to show this to any member of the cabinet you please. Assuming my conjecture to be right, I forbear to speak of the movement, because I cannot do it without using terms of the President that should not be applied to him except in the last emergency.

Sincerely your friend,

J. J. CRITTENDEN.

REVERDY JOHNSON.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, September 3, 1841.

DEAR CRITTENDEN,—I have just read your letter of the 26th with the liveliest interest. All your trials, difficulties, and vexations were fully understood by your friends in Kentucky as accurately as I now understand them after reading your interesting communication. No friend blamed you for not writing. Your silence told everything. We talked matters over and expressed our sympathies and our heartfelt regrets that official

connection, obligations, and prudence necessarily limited your freedom of speech and action. No one, so far as I know, has intimated that you ought to have resigned upon the coming in of the veto. Some of your friends believed you would do so; others feared that in a moment of indignation and disappointment you might do so; but those who knew you best thought you would take no hasty action, but be governed by circumstances which should or might control a majority of the cabinet in their movements. I rather think that, under the influence of that opinion, I wrote you some five or six weeks since *to keep wide awake and be cool*. The veto did not surprise me. I was fully apprised of the Captain's intention for some considerable time before. I had rather indulged in the hope that his heart might fail him before the time for final action. Duff Green told me the President told him he would veto the bill. The Van Buren party, in this quarter, announced that the veto would come weeks before it reached us.

After I saw he had some four or five Virginia schoolmasters around him, I confess I lost all hope. Ah, that was too bad!—our chief cook, in whom we placed all confidence, to poison our favorite dish! Yes, I believe most confidently he has the arsenic ready for the second dish, and will certainly dash it in if Wise and Rives and Mallory tell him. Just let those fellows say “Go it, my Captain Tyler, old Virginia is at your back; Clay is trying to head you; don’t be frightened by one of Clay’s mobs. If you do, Virginia will disown you; Virginia will be everlastingly disgraced in your person if you yield. Jackson carried everything before him by his *firmness*, and so can you. You are the most popular man in America; you elected Harrison, and can elect yourself again easily. If you give way, you are a lost, ruined, disgraced, discarded creature, and Clay will be the next President!” Then let Calhoun make him a secret visit, and the poison goes in to a dead and moral certainty. The motives by which the Captain is influenced are as distinctly known throughout all the land as his illustrious name is. All parties speak of it openly, mixed up with abuse, scorn, and ridicule. Should the cabinet be placed in such a situation by the President as to force them to resign, *he* will have no party. He may have five or six miserable, vain, foolish abstractionists, three nullifiers, and one Anti-Mason,—not enough for a decent funeral procession. The Whigs, before they adjourn, in the event of a dissolution of the cabinet, ought to hold a meeting and solemnly devote him, transfer and assign him over to the “Locofocos.” They ought, furthermore, by resolution, to declare “that no honest Whig should hold office under such a faithless public servant.” Then let the Captain

"paddle his own canoe," assisted by his Virginia friends. If once he gets ashore, I will give him a certificate of honesty, probity, and good demeanor,—qualities which he never had and never can have except upon paper. I am rejoiced in my soul that Webster will conduct himself like a man in this business. To tell you the plain truth, I honestly distrusted him. I feared he would disgrace himself by giving up his principles rather than his place. I thought he was upon the edge of a precipice, just ready to fall into an abyss, not knowing how far down he had to go. Now, I am relieved in my feelings, and am highly gratified. I feel as joyful over him as a good, old, faithful member of a church would feel over a brother who had wandered off from the true faith in pursuit of idols and had just returned to the fold, full of prayer and devotion, ready and willing and able to persevere to the end in the good cause. The Whigs are more firmly united now than before; rely upon this. *The vetoes* are a good cement to hold them together.

I received your letter this evening just after I had finished the labors of the day, and this accounts for my long letter. Should the cabinet dissolve just after you finish reading it, you will be ready to come to Kentucky, where all will be rejoiced to see you, and none more so than your friend,

R. P. LETCHER.

(Governor Letcher to J. J. Crittenden.)

Sunday Morning, September 5, 1841.

DEAR CRITTENDEN,—We got no mail from Washington to-day nor yesterday. Our anxiety to hear how matters now stand in the city has, I assure you, become too intense to be altogether agreeable. My own fears, I confess, as to a favorable issue are much greater and stronger than my hopes. I have talked over matters with a very few select friends, again and again speculating upon this, that, and the other thing, so repeatedly that really I have lost all sort of interest in my own conversation; still, I allow myself to be harassed, fretted, vexed, excited by reflection to such a pitch, that, by way of a sort of occupation to keep myself as *cool* as possible, and to avoid all intercourse to shun the everlasting question, What is the news? do, for God's sake, tell us the news from Washington? I have shut myself up in the office (Sunday as it is) and find myself writing, for what purpose or for what object the Lord only knows. Why don't you go to church, say you, and take the benefit of the clergy? Why, it would be a great sin in me to go to church with my state of feelings at this moment. I should be cursing and d—g at all the Virginia politicians (with a few exceptions), the schoolmasters, and "Tyler too," during the whole

of the service. I could not hear with any patience the Apostle Paul preach just at this time. If I had all power in my hands for one month I wonder if I should not be the mildest ruler that ever lived! I should not ask Lynch for any of his assistance. I would be calm, and cool, and prudent, though not *wise* by any means; but as sure as the sun shines I should afford materials enough for some historian to write a mighty big book, in which there would be a great deal of good reading too.

In the first place, I would have the law of treason better understood, more practically defined, and more clearly illustrated, so that the weakest man in society could comprehend it, and "Tyler too" should be able to see and to feel its force. Impeachments! why, there should be no such foolish word in all my vocabulary. As a man gets older he gets more sensible,—I know I do. He sees things in a clearer light. I feel quite sure Botts does. I have just read his *love letter* to his constituents, and I would not be at all afraid to trust him with all *necessary powers* for, and during, a short reign. I don't know Botts personally, but I like him; he is an honest man, a bold man, and a sensible man. I wonder, if Tyler should make another electioneering tour to the great West, if Botts will bear him company! I should say they would be exceedingly agreeable to each other, just at this time, as traveling companions.

But enough of all this. If you are under the necessity, both as a patriot and as a gentleman, to quit the miserable concern, come home quickly. There is but one Kentucky. Keep up your spirits; be of good cheer and of good temper; above all things, come back to my *government*, and my *people* will take care of you and will take a pleasure in it.

John Russell told me, some days ago, when I wrote to you, he wished to say if you returned to Kentucky you must send to his mill all the time. He says he will *whip* any man who denies his right to furnish you with corn-meal, and flour, and pork, and whip *you* if you don't take it, or if you make a wry face at it.

Having written thus far, I feel much better, I thank you. One idea: if you return to Kentucky and feel like practicing law, take my everlasting worker Harlan, for your partner, and he will be pleased, I have no doubt, to join you. Such another partner could not be had in any country.

Still, I have a little sort of a hope that Tyler's advisers will admonish him to yield, and that all may yet be well. I am going to join a hunting-party, Wednesday,—Charley Morris and the Bacons,—about three miles from town. I shall make the experiment whether the chase is not more agreeable and amusing than reading petitions and cursing our rulers.

Now, if you halloo *Enough!* I will let you off. Enough! you say, then I am done.

Your friend,  
LETCHER.

P.S.—Give Webster, when you come away, one good, affectionate shake of the hand for me, and say every kind thing to him you please.

(R. P. Letcher to J. J. Crittenden.)

September 8, 1841.

DEAR CRITTENDEN,—What's a man to do when he sees nothing, hears nothing, knows nothing, and wants to *see, hear, and know* everything? Such is my condition at present. We get nothing from Washington, except the passage of the land bill, which may be vetoed, and if so, we shall run distracted without a doubt. I wrote you yesterday, and I write again to-day, just for the want of occupation. What adds to my vexation is, that I had the misfortune, returning from dinner, to meet old W., or rather as I stepped into the judge's room, there he was, talking loudly against a United States bank. My presence brought him to a conclusion, and, when he recovered, he did me the favor to walk out. I am told he is much tickled with the idea that "brother C." is to be one of the cabinet. Should there be a new cabinet Calhoun will have a finger in the pie, and one of the dynasty comes in to dead certainty. I saw by a paper of the 2d that Archer was to make a speech in favor of the bank bill. I am rejoiced! I like Archer much, and should be highly gratified for him to do his country some service, and add to his own reputation. The bill will pass with Archer's vote, and who knows but Tyler may have *a dream, or see sights*, which will bring him to a knowledge of the truth? If he don't see sights now, he will after awhile. I expect to hear of his talking and crying in his sleep before long; he has raised the devil in this country. I received a letter this morning from a man in Russell County, asking me if I thought it would be an unpardonable sin to go to the city and kill him; the fellow wrote as if he thought he had a call to put him to death. Another writes me, to call the legislature together for the purpose of passing a Commonwealth's bank, and damning John Tyler. I don't know whether you will be a private gentleman or a public one when you get this. If you have left the city, I hope you have authorized John Tyler to open this letter.

Hon. J. J. CRITTENDEN.

Truly yours,  
R. P. LETCHER.

(J. J. Crittenden to the President.)

WASHINGTON, September 11, 1841.

SIR,—Circumstances have occurred in the course of your administration, and chiefly in the exercise by you of the veto power, which constrain me to believe that my longer continuance in office, as a member of your cabinet, will be neither agreeable to you, useful to the country, nor honorable to myself.

Do me the justice, Mr. President, to believe that this conclusion has been adopted neither capriciously nor in any spirit of party feeling or personal hostility, but from a sense of duty, which, mistaken though it may be, is yet so sincerely entertained that I cheerfully sacrifice to it the advantages and distinctions of office.

Be pleased, therefore, to accept this as my resignation of the office of Attorney-General of the United States.

Very respectfully yours, etc.,

J. J. CRITTENDEN.

The PRESIDENT.

The following March Mr. Crittenden was elected to the Senate to fill Mr. Clay's unexpired term, and was re-elected for a full term.

(J. J. Crittenden to R. P. Letcher.)

WASHINGTON, September 11, 1841.

DEAR LETCHER,—I have just received and read your long and interesting letter of the 3d instant. You say towards the conclusion of it, "Should the cabinet dissolve just after you finish reading this," etc. Now, for so long a shot this is absolutely the best on record; it was exactly to the centre. The cabinet was in the process of dissolution. The resignations of Ewing, Bell, Badger, and myself were on the way to the President's when your letter was brought in and thrown on my table. I fear you will have to detract somewhat from your *eulogiums* on Webster; he has declined to join in our resignations, and will continue in office, finally, as I *calculate*, to be turned out. Granger, too, will continue in office, and perhaps be reserved for the same fate. I do not know who will supply the places of the resigned. I am not even fully apprised of the speculations of the day. Baillie Peyton is here and greatly pressed to take a cabinet place. I have talked with him; he is resolved *not* to accept, but may *be overcome*. I have just heard General Clinch spoken of for Secretary of War. I am satisfied he will accept. Judge Upshur, of Virginia, is spoken of, and will, I suppose, accept. The President will have hard work to make up a cabinet which will please the Senate. As the time is but short, he will probably have to resort to the alternative of nominating unex-

ceptionable individuals at a distance; if they do not accept, he gains time and may supply the vacancies in the absence of the Senate. There is great firmness and great excitement among the Whigs in Congress, and a more resolute union among them, except, perhaps, as to a portion of the Northern Whigs, who are held in a sort of neutrality and suspense by the course of Mr. Webster. The Whig members from the great West are, to a man, united, fierce, and denunciatory towards Mr. Tyler. From what I have heard, they will publish an address to the people of the United States, recommending a course of action to the Whigs of the Union, denouncing the course of Mr. Tyler as a betrayal and abandonment of the Whigs, and proclaiming that they will no longer consider themselves responsible for the conduct of the Executive Department, etc. A nobler set of fellows than the Whig members of the present Congress never represented any people, and the energy, union, and firmness which has marked their conduct is worthy of all praise. The difficulties, trials, and mortifications to which they have been subjected were very great; yet, so far, they have been equal to it all, and but few have been faithless or slow of heart.

Since I closed the last sentence, I have heard that the new nominations for the cabinet have been made,—Walter Forward, Secretary of Treasury; Judge McLean, Secretary of War; Judge Upshur, Secretary of Navy; and Mr. Legare, of South Carolina, Attorney-General. What the Senate will do with them I am not informed. The great difficulty will be with Upshur.

Do not prepare any of your sympathies for me. I am proud and happy, and as for all the losses and inconveniences that may come on me from the loss of my office, I shall bear them manfully, strengthened to do so by the consciousness that I have acted as honor and duty to the country required. Between the first and tenth of the next month I shall take a drink with you in your own house. Keep your bottles set out and full, and if your liquor be good and your entertainment the same, I will then give you all the particulars about the great affairs at Washington. Farewell.

R. P. LETCHER,  
Governor.

Your friend,  
J. J. CRITTENDEN.

(J. J. Crittenden to R. P. Letcher.)

WASHINGTON, September 13, 1841.

DEAR LETCHER,—I wrote to you the day before yesterday, and I promise that this shall be a short letter, provoked chiefly by your letter of the 5th instant, received this morning. Since



I last wrote you, Granger has resigned, so that Mr. Tyler has been deprived of the whole of his most enlightened and patriotic cabinet, *except Mr. Webster*. He holds on, and looks like grim death! What say you? shall I give him all the affectionate congratulations and messages you sent in your last letter? or what disposition shall I make of them?

He has, at least, faltered on the way; I still hope that that is the most of it, and that, though he has faltered, it will be but for a moment, and that he will redeem himself by an abandonment of Mr. Tyler. His time for repentance is very short; the thoughts and feelings of men are moving on too rapidly to afford him much delay.

He may yet, by energy and decision, rescue himself; his delegation are uneasy at his situation, and if they advise him manfully it may save him.

The Whig members of Congress are about to publish an address; it is said to be a very good one; you will get it almost as soon as this letter, and that, together with Ewing's letter in the *Intelligencer* of this morning, will give you a full view of the state of affairs here.

Your friend,

J. J. CRITTENDEN.

You do not think more highly of Harlan than I do, and when I get back to Kentucky, if he should think a partnership would not be disadvantageous to him, I dare say it would be quite to my liking. On my return we will talk more of this.

J. J. CRITTENDEN.

(George E. Badger to J. J. Crittenden.)

RALEIGH, February 4, 1842.

MY DEAR SIR,—I learn from the papers that you are in Washington. What on earth are you lurking about there for? Do you expect any favors from the White House? or are you endeavoring to get Legare to appoint you his clerk? Are you prepared to become a Tyler-man in politics? and do you, in poetry, prefer the Poet's Lament to Milton, or *Ahasuerus* to *Paradise Lost*? This latter question you ought to be prepared to answer before you indulge any hopes of advancement. Pray give an account of yourself. Do you ever visit President Square? If you do, you can think of a late Secretary of the Navy. Do you remember a certain carpet which will owe its preservation from moths for half a century to your diligent sprinkling thereon of what *we boys* used to call "*Amber?*" Do you remember a certain lady of a certain Secretary of the Navy, who exhibited the greatest singularity of taste in saying that a certain Attorney-General was a *good-looking man*? I know you have been long-

ing to write to me, but have been withheld by the fear of the seeming presumption of an *ex*-Attorney-General addressing an *ex*-Secretary, and I write as a proof of my favor, and an evidence of my condescension to put you at ease. What is to hinder you from getting in the cars and paying me a visit? I can give you a good bed, a good dinner, good wine, and a hearty welcome. I suppose Ewing is endeavoring to get an appointment. His *corn-planting* letter of resignation ought to get him a clerkship, particularly if he has read Ahasuerus, and committed half as much of it to memory as he once recited to me from Dante's Inferno. Wishing you success in all your efforts to obtain executive advancement,

I am very truly your friend,

GEORGE E. BADGER.

(Letter from J. J. Crittenden to R. P. Letcher.)

February 8, 1842.

MY DEAR LETCHER,—I have just finished a sort of business or semi-official letter to you, and now I wish to write you entirely on private and personal account.

You are, I know from past experience, a sagacious gentleman, and good at far-seeing and guessing; but still, I think you can hardly have an adequate notion of the state of things here. Utterly condemned as the administration has long been, and it is still growing in scorn and contempt, and there is really danger of its sinking into such impotence and odium as to paralyze the whole government,—and yet Mr. Tyler, in this condemned and desolate condition, steeped to the lips in shame, is still, if the universal reports that I hear be true, inflated with ideas of his *great popularity*,—second to none but Washington,—thinking of nothing so much as his re-election,—holding Whigs and Locofocos equally as his opponents, and reserving his favors and offices for *Tyler-men*. From all I can collect, such is about the condition of your President. Of his ministry I know but little. Webster looks gloomy and sad. In Congress they seem to have but little influence. The little corps of Tyler-men do not seem to thrive well, and even they do not always conform to administration measures. In the midst of such disasters, discipline may naturally lose its force.

Notwithstanding the necessity of the case, and that even members of Congress were without their pay, the treasury-note bill for five millions of dollars was forced through Congress by a nominal majority of one in each branch, and that majority obtained only by the silence or voluntary withdrawal of members whose votes, if given at all, would have changed the majority and defeated the bill. There was, in fact, a majority against it

in both houses of Congress, and yet, without that supply, there was not a dollar in the treasury to pay either army or navy. In one month I suppose it to be inevitable that Mr. Tyler must come before Congress for another supply of treasury notes, and I doubt whether any exigency will induce them to grant it. Such is the state of affairs, and from their sad condition I must infer that you have withdrawn that salutary participation which you were formerly pleased to exercise in the administration of this government. Clay, I think, would now acknowledge our wisdom in advising against his coming to this session of Congress. You have saved him from a most critical and delicate position by the failure to pass the legislature resolutions against the bankrupt law. He will soon resign, and in time for the General Assembly to elect his successor, and that event will occur with some circumstances rather disagreeable to me, in respect to my being a candidate. I was, year after year, a somewhat prominent advocate of that law; but yet it is one of those measures in respect to which I should have conformed to the wishes of my constituents had I remained in the Senate. To declare that sentiment on the eve of an election might expose me to the suspicion of sacrificing a former opinion, not to a high sense of duty, but to the ambition of obtaining a seat in the Senate.

And now, sir, I wish to take a little hand in your administration. Imprimis, being informed that Bishop Smith is not to be reappointed to the office he now holds, or lately held, of superintendent (I believe that is the title) of common schools, I do very cordially recommend Mr. Sayre, of our town, to that office. I think he will devote himself to it zealously and usefully; he has education and talents and manners; and lastly, my wife writes me, quite imploringly, to entreat you to give to Atticus Bibb the office of Commonwealth's Attorney, for the district in which he lives.

He is said to be a noble-hearted and talented fellow, and his late reform may entitle him to kind consideration. I hope that you may be able to reconcile it to your sense of duty to give him the office.

Remember me kindly to our friend, the Lieutenant-Governor, and to all our other friends in and out of the legislature, and, as the Chinese said to Mr. Van Buren, "May you live long to be a *security* to your people."

Your friend,  
J. J. CRITTENDEN.

R. P. LETCHER,  
Governor of Ky.

(J. J. Crittenden to R. P. Letcher.)

WASHINGTON, December 9, 1842.

MY DEAR SIR,—After a most toilsome and most dangerous journey I reached here on the second day of the session, being the eleventh day after I left home.

The Whigs from all quarters seem to me, as far as I can see, to bear their defeats with fortitude and spirit, and to look to the future with all the confidence that could be expected. It appears to be the general impression of those that I have talked with here, that, for want of a present motive and immediate object, the Whig party has not been and cannot be roused to a full exertion of its strength till the next presidential election. This is at least a consolatory view, and I am willing to confide in it as the true explanation and state of the case. But this fluctuating zeal, that requires so much to get it up and so little to put it down, is not the most reliable. Under present circumstances, Clay's truest friends here seem inclined in favor of a national convention. They do not doubt his nomination by such a convention, and think it will have the effect of reassuring the party and combining all the little fragmentary parts that might otherwise be disposed to fly off in the hour of need. I incline to this course myself, and regard it as a measure to fortify, and not really to bring in question, the pretensions of Mr. Clay.

I send you with this a copy of the President's message, that the people might not be delayed in the enjoyment of this precious document. Expresses were prepared to convey it with the rapidity of steam throughout the land at the moment of its delivery to Congress, and upon some false rumor that a quorum of the Senate was present on Tuesday last, off went the message in all directions one day before there was any Congress assembled to receive it. This little accident produced so much ridicule as to disturb that grave consideration with which such a revelation from John Tyler might otherwise have been received.

Since my arrival here I have been surprised to learn, from inquiries made of me, how extensively the hopes and apprehensions of my defeat in our senatorial election had gone abroad. A Loco member of Congress, from Arkansas, told another member, a Whig, who scorned the idea of my being beaten, that he was well informed about it, and thought I would be defeated, and I suppose that the Tyler party fully expect it. All this furnishes grounds to apprehend that greater effort and preparation have been used for the purpose than we anticipated.

Owsley heard, as he passed through Lancaster, that your nephew, George McKee, would vote for Hardin in preference

to all others. And Phelps, of Covington, informed me that the member from Kenton, a Mr. Bennett, I think, was very indifferent for whom he voted. He was elected as a Whig, but his county, I believe, is Locofoco. This was told me as I came up the Ohio. And Phelps also gave me to understand that he had defeated an attempt that had been got up by the Locos to instruct him to vote against me. I give you these particulars that they may be remedied in equity, if any such remedy there be. My old acquaintance and friendship with his father and relatives would make McKee's opposition quite mortifying to me. I know that the mere fact of your relationship puts it out of your power to do anything in the matter. I hope, however, it will turn out that Owsley's information was incorrect.

You will see that in both houses of Congress propositions have been made for the repeal of the bankrupt law. I thought from the first that a temporary bankrupt law was better suited to this country than a permanent system, and was in favor of limiting it to two years. It was one of a series of measures urgently sought for by the Whigs of New York, Louisiana, etc., and rather conceded to them than desired by those of the Kentucky Whigs who supported it. It has to a great extent accomplished its object, and, though there may have been abuses, it has relieved from imprisonment (for in many of the States that remedy is continued) and a hopeless mass of debt many an honest man whose fortunes had been wrecked in the disastrous times through which we have passed. Under all the circumstances, and especially in deference to the opinions of my constituents, who, I believe, are opposed to the continuance of the law, I have made up my mind, I think, to vote for its repeal.

Your friend,

To R. P. LETCHER,

J. J. CRITTENDEN.

Governor.

P.S.—Aren't you glad my paper has given out?

(R. P. Letcher to J. J. Crittenden.)

February 25, 1842.

DEAR CRITTENDEN,—The election for senator will come off this afternoon at three o'clock. I doubt whether there will be any opposition; none unless it should be *old Duke*,—your *friend* and my *enemy*. I don't believe, however, he will run. Colonel Johnson has just left me again, after *renewing his bond of fidelity*. We are getting very thick, I can tell you. If I had time I would make you laugh heartily about many matters connected with this election. Oh, the duplicity of this world!

Your friend,

Hon. J. J. CRITTENDEN.

LETCHER.

(R. P. Letcher to J. J. Crittenden.)

February 24, 1842.

DEAR CRITTENDEN,—I have only a moment to say a word or two. Mr. Clay's resignation was filed yesterday, and I am told that in one moment afterwards a few *demons* set about the *work of mischief*. They are endeavoring to bring out all sorts of opposition, trying everybody and anybody. Underwood, they think, would embody the greatest force, because of his Green River residence; but *that point has been guarded*. His friends won't allow the *trick* to be played, *that is settled*; and if Underwood was here he would settle it in the same way. Charley Morehead is talked of, but, in my opinion, he won't make the attempt. Ben Hardin is here; I presume he will be the opposition,—hope he will make a poor show. The old Monarch is also here, but I don't believe he came on that business. The D. is heading the party in opposition to you. I am told that a caucus was held last night; don't think there is the slightest danger of the result. Colonel Richard Johnson is now with me; he will act the gentleman, and go for you "*through thick and thin*." Had a long talk with him since I commenced this letter. He will carry with him as many friends as he can, and really I must tell you that you are not to forget his honorable feelings and fair dealing. I know you like him, and you ought to like him.

Yours,

R. P. LETCHER.

Hon. J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, February 26, 1842.

DEAR CRITTENDEN,—O. K., as you will, no doubt, hear from various quarters. The affair went off handsomely, quietly, flatteringly. Old man Golhom aided like a gentleman after he took time to cool. *He nominated you*. Colonel Dick Johnson called upon me last night, and swore "he had never exerted himself so much in all his life to keep down (as he said) a damned factious opposition of damned rascally Whigs, as well as Democrats." He did behave well, indeed, and *no mistake*.

Yours truly,

R. P. LETCHER.

Hon. J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, April 9, 1842.

DEAR CRITTENDEN,—Clay's valedictory is exceedingly fine and appropriate; I admire it much. This village is crowded with bankrupts and lawyers. The D. and young D. are among

the distinguished visitors. I know you will take pleasure in hearing that these two noble fellows are in good health. I had the honor to see them this morning, *face to face*, at the State-House gate. They looked interesting, but I had only a moment's satisfaction in beholding them. They appeared anxious, I thought, to deprive me of that pleasure. *When* will Congress adjourn? *When* will you be at home? What will Congress do? How does Captain Tyler stand? *How* do his promising boys behave? *How* does Webster stand the *racket*? Has he proved himself *clear* of all fornications by affidavits or otherwise, and will he remain in his present situation long, or will he be pushed out? I think he will be thrown overboard before very long.

Your friend,

Hon. J. J. CRITTENDEN.

R. P. LETCHER.

## CHAPTER XIV.

1842.

The Loan Bill—Apportionment Bill—Letter of James Buchanan to R. P. Letcher—  
Letters of Letcher, Clay, and Crittenden.

THE following eloquent and touching appeal to the senator from Arkansas, will strike all who knew Mr. Crittenden as eminently characteristic of him :

*Mr. Crittenden.*—Mr. President, in reference to the charge made against the Whig party by the senator from Arkansas, that they were a debt, loan, and tax party, I can only observe, that I had hoped a pause would be allowed, in the present condition of the government and the country, for breathing-time, for patriotism to come into action. I have, however, heard, in the last few days, two speeches from a gentleman known to me, and esteemed by every one in all the relations of life, in which he charges his friends with unworthy objects and intentions. I have heard this charge uttered with deep regret. The calamities which menace the country require the co-operation of wise counsels and unimpassioned deliberation. What tendency can crimination and recrimination have to reach just conclusions? What light can they shed upon public counsels? The fierce fire of party is one that burns, but sheds no light. I am sure it is impossible that in a heart so generous and so just as that possessed by the senator from Arkansas, there should exist a belief that the object of the Whig party was to bring down destruction on the country, or to involve him and his posterity in the calamities that he depicts. It seems to me we might debate on the affairs of government without so much asperity. I am willing to bear all my responsibility; but it is known to every gentleman in this body that the Whig party have not the control of the government, and in all fairness an undue share of responsibility should not be thrown upon them. There is no man more willing to retrench and reform than myself, and I believe this to be the case with my friends. We are willing to take counsel with these gentlemen themselves, and I implore them not to suppose that we wish to fill the hands of the government with money to squander in extravagance. How can the senator



from Arkansas, after casting an imputation on the Whig party of opposing and abusing the President, suppose that they were anxious to place in his hands the means of wasteful expenditures? I will vote for this bill, but I will do so with profound reluctance; I vote for it under a sense of obligation, which impels me to act from public duty. It seems to me that the allusions made by the senator from Arkansas, to the relations of the Whig party with the President of the United States, were unkind and ungenerous; but I will not be drawn into any debate on this point; I will choose the time and occasion to revert to such matters, if it should be ever necessary to do so. I had hoped the time had come—a marvelous time—when the two great contending parties might meet on one common platform and reason together.

On the 24th of May, 1842, there was a debate on the apportionment bill, and Mr. Crittenden argued for the smallest ratio of congressional representation. In relation to the other amendment proposed, that of not requiring States to be *districted* for the election of representatives, Mr. Crittenden did not approve of the modification; he did not wish it to be left *optional* with the States to take the district system or the general ticket system; he was conscientiously opposed to the latter and in favor of the former; he believed that the only fair mode of obtaining a just representation was by the local district system; he thought the general ticket system nothing but a return to the old continental Federal system. Give the States of New York, Pennsylvania, and Ohio that general ticket system, and these three States, he was confident, could control the other *twenty-three* with imperial power; he believed there was not now a single State which elected their presidential electors by district, and in that there was a bright example burning with evidence of what might be expected in relation to elections for members of Congress. He was not willing to convert our republican system into an oligarchy. The senator from New York, Mr. Wright, tells us that if we pass the law for districting the States, New York will not obey. This sort of defiance should not be brandished in the face of the country to weaken our great bonds of union. He trusted this sentiment, though forcibly spoken, was uttered without deliberation.

(James Buchanan to R. P. Letcher.)

WASHINGTON, April 17, 1842.

MY DEAR SIR,—I have done all I could do for Kentucky and her highly esteemed governor. I believe the course I have pursued has been satisfactory to his magnificent ambassador, General Leslie Coombs, and to *Mr. Crittenden*. By-the-by, this same ambassador is a man among a thousand; I like him very much, and yet I have never seen any specimen of human nature with which *he* could be compared. I think he possesses a clear head and a warm heart, and yet he talks too much for a diplomatist, unless he acts upon the principle of Talleyrand, that the use of speech was given to man to conceal his ideas. He is an agreeable study, however, and I should be pleased to have another chance at him. I think the Whig party, just now, is in a sick and lowly condition, and the sooner you get out of it the better. The grand *Sir Hal* is worth the whole concern, and they will, in the end, be false to him. Some of them are beginning to look over their left shoulder already. With how much more dignity he would close his political career by retiring to Ashland, and keeping out of the presidential struggle! The just fame which he has acquired ought to satisfy any man's ambition. So far as I am personally concerned, I am sincerely sorry he has left the Senate; he was an *ugly customer*, it is true, but there was a pleasure in contending against such a man, and one sustained no disgrace in being vanquished by him. I like Crittenden very much, and he is a very able and adroit partisan debater. I know nothing of the four-horse team to which you allude; I think they do not desire to hitch on with them the *hero* of the Thames. The late minister to England, or the late governor of Tennessee, will, most probably, be Van's *Vice*, should he be nominated. But you will learn all about it from his own lips, as I presume you will be of the party at Ashland to welcome the ex-President and his *Neptune*. Tyler and his cabinet are a poor concern; they live upon expedients from day to day, and have no settled principles by which to guide their conduct. The *Toadies* flatter him with the belief that whilst the politicians are deadly hostile to him, from jealousy of his rising fortunes, the people are everywhere rising *en masse* and coming to his rescue. Such is the tone of the Madisonians, and if you desire to obtain an office from him I advise you to pursue that course. Unless I am greatly mistaken in the signs of the times, an attempt will soon be made to *head Mr. Clay* on the subject of a national bank. It would seem that Tyler is now willing to approve the bill of Ewing, and Mr. Clay is to be attacked for having defeated the establishment of a bank from jealousy of Tyler,—Heaven save *the mark*! His constitutional scruples

would be satisfied with the *provision*, that no branch should be established in any State without the consent of the legislature, though an agency to transact the business of the treasury would not require such permission. Tyler and Webster, then, are to become the *chiefs* of the great Whig National Bank party, and Clay is to be denounced for having *prevented* the adoption of his own favorite measure. So we go! This seems to be the present track, but how they may continue it is *mighty uncertain*. For myself, I am a looker-on here in Vienna. I have been long enough here to understand the game, though I never *play myself*. The movements in Pennsylvania have been voluntary, so far as I am concerned. The attempt of Colonel Johnson's friends there has been a greater failure than I anticipated. We shall not divide upon our presidential candidate. We have a way of chopping off the *heads* of those, without ceremony, who will not submit to the *decisions* of the party in the National Convention assembled.

With sentiments of grateful kindness,

I remain your friend,

JAMES BUCHANAN.

(J. J. Crittenden to Governor Letcher.)

WASHINGTON, May 1, 1842.

DEAR LETCHER,—My wife's arrival and my change of location, etc. have interrupted my correspondence for a time.

Clay's leaving Congress was something like the soul's quitting the body. His departure has had (at least I feel it so) an enervating effect. We shall gradually recover from it. Captain Tyler will serve as a *blister-plaster* to stimulate and excite us, and that, perhaps, is the very best use that he is susceptible of.

Tyler has produced the strangest sort of distraction and inaction that was ever seen. He sits in the midst of it, mighty busy and bustling,—the Tom Thumb of the scene,—thinking himself the admiration of the world and the favorite child of Providence. Take it altogether, it is the most severe burlesque on all human ambition and government that was ever witnessed. I know, however, that I can add nothing to your conception of the full merits of the scene. You have a quick taste for the perception of such rare exhibitions, and to your imagination I leave them. We understand here (and certainly the *Madisonian* gives signs of wrath) that the President is very angry with the poor Senate for its rudeness in rejecting some of his nominations, and especially that of Mr. Tyson, and threatens to turn out of office all "Clay Whigs and ultra Democrats," and to appoint none but "moderate men," *alias* Tyler-men.

The President and his men have been blustering about that matter, and I do believe that it has of late been seriously thought of, if not determined on, in his councils. But they will not dare to execute such a purpose. We cannot restrain him from turning men out of office, but the Senate can, and will, control him, as they ought, in respect to his appointments. There is not in the Senate a *single member* who calls himself, or is willing to be called, a Tyler-man. There are some of *both* sides of the chamber that are more or less infected, but this rather contributes to unite all the others, and to insure a majority against improper or unworthy appointments.

Benton acts and speaks openly and manfully, and says he will have no wh—g with this administration. On the contrary, Calhoun is supposed to be contracting a little more kindness for it. I understand that he is not unfrequently of their parties and councils, and things are supposed by some to be tending to a closer union between him and the administration. This is mere surmise, but it seems to me not at all improbable from the character and condition of the parties. They both want help badly, and each, perhaps, counts on using or cheating the other in the end. It is a pity such congenial parties should be kept asunder, and I wish, with all my heart, for a consummation of their union. If the administration will flatter Mr. Calhoun's ambition for the Presidency, he may carry over his followers to their support, and give them something of a basis for an "Administration Party." The very first movement, however, towards such an end would be the signal of alarm and hostility on the part of Benton, Buchanan, etc. But what is to issue out of the strange and unsettled state of things that now exists no one can foretell, and all seem to be standing still and looking and waiting for events. So far as I can learn, Clay's retirement has had the happiest effect upon the public feeling and opinion in respect to him, and all the indications seem to be that, without the aid of any convention, he will be the candidate of the universal Whig party. I think we have every prospect of unanimity on our side, and that there is on the other side almost a certainty of division and discord.

I hope that Kentucky will give Clay a triumphant reception on his return home. If ever man did, he deserves it, and Kentucky will be as much honored in giving as he in receiving. Its effect abroad will be good, and will give a tone to that public feeling which, I hope, will be everywhere awakened.

I am weary of Washington, yet see no prospect of getting away from here sooner than the middle of July.

The prevailing impression here seems to be that Lord Ashburton will settle all difficulties with us. He appears to me to

be a clever old gentleman, and that, you know, is saying a great deal for a lord. Webster must hope to heal his character a little by making peace, and I think, therefore, that we may expect it.

I have no intercourse with Tyler and his secretaries. I do not seek them, and they seem to avoid me. I can hardly imagine how you get along without me. I hope that you suffer greatly from my absence. I should like to spend the balance of this evening with you, "Old Master," Mason, etc. Coombs must be doing a good business in Philadelphia, and I hope will be able to bring the Schuylkill Bank to terms. My best respects to Mrs. Letcher.

Your friend,  
J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, May 30, 1842.

DEAR CRITTENDEN,—Van Buren arrived and departed very soon after I wrote you last; he reached here in the evening and left next morning. *Don't mention it*, for the honor of our city, but such another reception never occurred in any *age* or *country*. He was received on *top of the Hill* by some *thirty Locos*, and the *procession* formed immediately with all the pomp and parade you can imagine. *Four* rickety buggies, sixteen horsemen,—*poor* horses and shabby riders *at that*,—a stage with *three* passengers inside and twenty little boys outside, an open barouche in front with the musicians (exclusive of negroes and boys), constituted the procession. I don't know *where* the little fellow was placed, whether in the middle or behind. Jephtha Dudley and the honorable gentleman were somewhere in the same vehicle. They marched through the city, down by Phil Swigert's, and up by your house, and up to the front of the Capitol. And where was Phil Swigert? I can't tell you. Phil was one of the committee to receive Mr. V. B. from Colonel Johnson and his friends, and give him a *grand entry into town*. Well, poor Phil, when he saw the sight on top of the Hill, and heard the *little* rascals cry out, "Stand back, gentlemen, *don't crowd*," broke down the Hill and got into the railroad *cut*, and has not been seen since. Well, when *the show* arrived in front of the Capitol, there was quite a good-looking crowd assembled. Hewitt *spoke at him*. I heard *not a word of it*. Van Buren spoke a word or two, in a sort of confidential whisper, when two or three fellows called out, "*A little louder, Mister!* we want to hear you." "The speech is over, anyhow," cried another fellow. Taking it altogether, this was the most complete burlesque on all public receptions that could be devised by the art of mortal man. I

was vexed and a little mortified, but my mortification went off in a roar of *laughter* all by myself.

Your sincere friend,  
R. P. LETCHER.

(Henry Clay to J. J. Crittenden.)

ASHLAND, June 3, 1842.

MY DEAR SIR,—I received your favor of the 27th with its inclosure. I was glad to perceive that you had taken ground in favor of a numerous House of Representatives. I have long entertained that opinion, and I believe the larger house will have always a greater effect in checking executive power, as well as being a better representative of the people. I am very sorry that you think so little good is to come out of Captain Tyler. I hoped that my absence from Washington might have contributed to his improvement; if it has had no such effect, he must be incorrigible. Is it true that he has threatened, and means to turn out the Collector of Philadelphia, because he would not dismiss some forty Whigs from office? There is a very great embarrassment and distress prevailing in Kentucky, much more than I imagined before I came home. Every description of property without exception is greatly depressed and still declining in value, and what aggravates the distress,—no one can see *when* or *how* it is to terminate. Most of our hempen manufacturers are ruined, or menaced with ruin. This is owing to the introduction of India and other foreign stuffs used in bagging. Our people say that they cannot do with a less protection than five cents the square yard upon bagging. When the tariff gets to the Senate (will it ever get there?) you and *your colleague* are expected to take care of this single Kentucky manufacture. I am glad that our friends in Congress bear up so cheerfully under recent adverse results in State elections. Seeing, however, that the Captain claims the victory (whether it be won by Democrats or Whigs, with rather more pleasure when achieved by the former), I hope that our friends will recover from their apathy and disgust and treat him to some Whig victories. Will you not concur in the Senate in the reduction, made by the House, of the enormous appropriations asked by the Departments of War and Navy? It seems to me that the state of the country, the state of the treasury, and the interest of the Whig party, all unite in favor of that reduction. The senseless cry of the *defenses of the country*, the augmentation of the navy, etc., ought to be wholly disregarded. Had the estimates been double what they are, and a proposition made to bring them down to their present amount, this same cry would have been raised. Mr. Van Buren spent four or five days with me, accom-

panied by Mr. Paulding; we had a great deal of agreeable conversation, but not much of politics. Both the gentlemen appeared to be pleased with their visit. The public reception was quite imposing in Lexington,—much better than Van Buren has probably received anywhere during his journey.

Present my warm regards to Mrs. Crittenden and your messmates, General Green and lady.

Faithfully your friend,

Hon. J. J. CRITTENDEN.

H. CLAY.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, June 3, 1842.

DEAR CRITTENDEN,—I cannot imagine what you will all do in the city to keep yourselves out of a state of torpidity since the war in Rhode Island is ended, and the Stanley and Wise affair is compromised *honorably to both parties*. I have not seen the terms of adjustment, but it is enough to hear the affair was arranged to the mutual satisfaction of each party concerned in the handsomest manner possible. *Killed none, wounded none, scared none*, and *honor divided*. Well, I am really glad there was nobody hurt, and that there was no fight; but just between ourselves, I don't exactly see how that *lick* was withdrawn. I guess it was all right and proper; but, for want of accurate knowledge, I cannot quite see into the thing. Hereafter I hope each will entertain towards the other all proper respect.

The judges of the Court of Appeals adjourn to-morrow, and I shall be left very much alone. Hodges has gone to Washington to get an office. Phil Swigert has eloped since the Van Buren reception, and may possibly never return. Judge Brown is sick in bed, but will be well enough to take a little of my old brandy to-day with the judges,—none of whom, I am sorry to tell you, have joined the temperance cause. Old Master is entirely *incog.*; nobody even sees him. Cates is very gloomy and snappish, and is exceedingly disagreeable; he has lost all his bets upon every race that has been run. Jake Swigert has retired into private life. Edmund Taylor is agreeable at all times except when Cates is about, and then he takes the *pouts*. Colonel Dick Johnson was here a few days ago; he seems to understand very well that Mr. Van Buren is *stacking the cards*; but he will have to stand it. Dick is much the best fellow of the two; but he will be bamboozled as sure as a gun. He intimated to me he would prefer Clay next to himself to any man in the Union. You never saw a more restless, dissatisfied man in your life than Dick is.

The Clay barbecue is all the talk now. I wrote to Governor Morehead this morning about one hundred and ninety-five

stand of arms due the State of Kentucky from the United States. You once introduced a bill about them; look into the affair. The claim is perfectly just. I wrote to Morehead last winter or fall upon the subject; but he may have forgotten the business altogether.

Your friend,

R. P. LETCHER.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, June 7, 1842.

DEAR CRITTENDEN,—I write to-day merely to keep up a sort of running fire. Since Van Buren's departure I have not *seen* or *heard* of Clay. I presume he is engaged in loading his *big gun*, to make a great report Thursday next. The *old horse* is upon *rising ground*, I think, and if he should meet with no accident, will run a great race. Keep a good lookout in your part of the track and see that there are no obstructions thrown in his way; he "can win the race if he is kept well, turned well, and rode well." Phil S. has once more made his appearance in public; he laughed at himself till the tears ran down his cheeks. What has become of John Russell? Is he helping Hodges to get an office? The Relief party are not so *rampant* as they were in the spring; such another pressure was never known in this State. I had a hearty laugh with Van Buren. He asked me how I stood the campaign for governor, how I liked crowds, etc. I replied, "Well, I delight in crowds." "But," said he, "did you not get tired of speaking, and how long did you speak?" "Generally about four hours," said I, "in the daytime, and then a small *check* of about two hours *at night*." "Is it possible?" said Van. "But I suppose you must have been fatigued making the *same speech* so often!" "Ah!" said I, "never *the same speech*. Your administration furnished the most fruitful topics for discussion, and I had not gotten half through with you before the campaign closed." Van laughed heartily, and said he had not thought of *that*. He inquired if I ever told that *stud-horse* story upon him. "Yes," I replied, "once, to about five thousand people." "It took well," said he, "no doubt, for it is the best story in the world." The little fellow is busy making his arrangements for another trial. Let him come! I believe we can beat him, or any man of his party who has been spoken of.

Yours,

LETCHER.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, June 21, 1842.

DEAR CRITTENDEN,—The old Prince is taking a pretty considerable rise everywhere, I can tell you. I guess he now



begins to see the good of leaving the Senate,—of *getting off* awhile merely to *get on* better. He must hereafter remain a little quiet and *hold his jaw*. In fact, he must be *caged*,—that's the point, *cage him*! He swears by all the gods, he will keep cool and stay at home. I rather think he will be prudent, though I have some occasional fears that he may write too many letters; still, he is quite a handy man with the pen, and his letters have *some good* reading in them. Will Scott run upon his ticket as Vice-President? That matter ought to be understood very soon. Our people will move before long, and they would like to know what they are about before the work is begun. The Whigs were fooled too badly not to be particular another time. If Scott is the man of sense I think he is, he will not hesitate about the matter. Tyler, it appears from what Wise says, intends to veto the tariff bill, if it should pass! I wonder if he *hopes* to die a natural death? I rather think he wishes to render himself conspicuous by being hung. I should be sorry to say anything to wound your sensibilities, particularly as he is a friend of yours; but I am inclined to say he is the damndest rascal and biggest fool of the age. Hodges has returned full of wrath; he failed in getting an office. Charley Morehead is the man who is entitled to all the *damns* of the Whigs if a Loco is elected here. Tell John Russell to move himself home; he has been playing the game of cheating and deception long enough. Does he still board with Captain Tyler, or does Bob board with him? Order him off, and come home as soon as you can. I have the best assortment of good wines now in Kentucky, to say nothing of whisky and brandy, and nobody to drink a drop of it.

Your friend,  
R. P. LETCHER.

(J. J. Crittenden to R. P. Letcher.)

SENATE, June 23, 1842.

MY DEAR LETCHER,—I owe you for two or three very interesting letters, and have nothing to pay you with. Captain Tyler and his sayings and doings are rich themes; but, then, he and they are so notorious that you are as well acquainted with them as I am.

He is supposed to be now pluming his wings for a new flight of treachery and folly. Rumors of changes and cabinets and measures fill the city, and are the subjects of our conversation in all companies. I believe that some such movement is in contemplation. Tyler cannot be insensible to the impotency and degradation of his present position, and may well conclude that any change must be for the better. He has injured the

Whigs deeply, and *therefore* hates them deeply. He does not hope for, and probably does not wish, any reconciliation with the Whigs; that is altogether impracticable. He must look, therefore, to the Locofocos, and his natural inclinations concur with the necessity of the case. His contemplated movements must, therefore, be made with the view of conciliating and coalescing with *them* or *some section* of that party. I think there cannot be a general coalition of that party with him, but that he may probably come upon terms with the southern branch of it; that is, with Calhoun and his tails, etc. The result of this would be a schism in the party very beneficial to the country. My wish is to see the Whig party rid of him—rid of the nuisance; and their true policy is to strip him of all disguise and compel him to appear in his true character of enmity and hostility. I think you may rely on it that the Whig party in Congress will act considerably and firmly. No public body, at least no previous Congress, were ever called to act under more circumstances of disadvantage and embarrassment. Thwarted and obstructed by the President, abused and reviled by the press, they have still toiled on in their patriotic course, and endeavored to serve their country in the midst of all this opposition and reviling. They are ever abused and slandered for imputed delay and negligence in the transaction of the public business, and they are thus abused by the President and the press, when he himself has been the main cause of all the derangement and delay that have occurred. I wish I could have been with you at the great Clay barbecue (I am opposed to the word “festival”). You may depend on it that Clay is going ahead like a *locomotive*. You will have heard of his nomination in Georgia,—a really popular and enthusiastic movement. In New York the Whigs will have no one but Clay; they are determined, ardent, and confident of success. I was surprised and delighted to find prevailing there so pure and noble a spirit. The Whigs of the city of New York are already acting with skill and efficiency, and pressing their operations and clubs throughout the State. They say they will have Clay, and no one but him; that they can and will give him the vote of the State. I believe them, for their spirit and energy give appearance of success.

I must make a little speech; so farewell, and God bless you.

Your friend,

ROBT. P. LETCHER,  
Governor.

J. J. CRITTENDEN.

## CHAPTER XV.

1842-1843.

Letters of Crittenden, Clay, Letcher, and Webster.

(J. J. Crittenden to Mr. Clay.)

SENATE-CHAMBER, July 2, 1842.

MY DEAR SIR,—I have learned here, from a source to be relied on implicitly, that at the meeting to be held in Pennsylvania, on the 26th of this month, for the nomination of a presidential candidate, it is intended to nominate General Scott, but with a declaration of their intention to support the candidate of the Whig party, whether designated by a national convention or other evidences of the choice and preference of that party. All these qualifications of their nomination are understood as having reference to and as providing for the event of your being the candidate of the party, which all seem to regard as a settled matter. It would be better for all parties that the Pennsylvania convention should at once and directly give you their nomination; and I have had conversations with some of Scott's most confidential friends to convince them of the correctness of my opinion, especially as it regarded Scott himself. Such a nomination, in the midst of so universal and ardent a sentiment in your favor, would place him in a very awkward, if not ridiculous, position before the world, and would, besides, expose him to much jealousy and prejudice. No one that I have conversed with dissents from this view of the matter; but yet it is doubtful if anything can be done to change this purpose of the Pennsylvania convention. It is most probable that their nomination will be given to Scott, but will be regarded by themselves and others as merely nominal, and, with the qualifications annexed to it, as virtually and substantially a nomination of yourself. I shall not cease, however, to attend to the subject and to give it, as far as I can, the best shape and direction. There is but one opinion here, and that is that you are the candidate of the Whig party,—the only man to be thought of; the people have already settled that question. I assure you I have never witnessed on any other occasion such a flow of public opinion as is now going on in your favor. Making all allowance for my own bias, I can say that the

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progress of this public opinion is such as to surprise both your friends and opponents. The influence of that public opinion is manifest; it decides the doubtful, encourages the timid, stimulates the bold, and alarms your opponents. All this I see around me. There is no longer any serious thought of a Whig competition for you. I understand that Scott has lost all hope, and I wish he could be saved from all further disappointment or difficulty on the subject; he is a good Whig and a good fellow, and will eventually support you heartily. It is not to be wondered at if, in the first moments of his disappointment, he should show some little impatience, and his wounded vanity not permit him to take the most proper or prudent course. In common with the rest of us, he has his portion of vanity, and that may well be excused on account of his other great and good qualities. I like him, and am sure he will do right at last. I have not conversed with him about this Pennsylvania convention or his purpose in respect to it. I have spoken freely with Preston and Archer, his most intimate friends, and left it with them to counsel him. Both of them fully agree with me as to the folly of bringing him into competition with you, and would be glad to see him *out of the whole affair*. The only question seems to be how he is to get out of it in the most respectable manner. Since I have been writing this, Evans, of Maine, came to my seat to tell me that he had just heard that the convention assembled in his State to nominate State officers had nominated you for President in a most enthusiastic manner. At my request, he has promised to write to you as soon as he receives a printed account of the proceedings. Be sure that you answer his letter; all our friends here would be flattered by your correspondence, and you must task yourself a little to please them. If we can only keep up the feeling that now exists, your election is certain. Tyler is one of your *best friends*; his last veto has scored us all well; it had just reached the convention in Maine, which nominated you and denounced him. It has also a fine effect upon our friends here, and will insure the passage of our tariff bill, with a reservation to the States of the proceeds of the public lands. Suppose Tyler vetoes that, what, then, shall we do? Shall we pass the tariff, giving up the lands, or adjourn and let all go together? Write me immediately in answer to these questions.

.. Your friend,  
J. J. CRITTENDEN.

Hon. H. CLAY.

(J. J. Crittenden to Henry Clay.)

July 15, 1842.

MY DEAR SIR,—Our friend Botts is *passionately* resolved on impeachment of the President. I believe that the very fact of his taking such a lead in the matter has had the effect of checking or repressing, to some extent, the tendency that was apparent to such a result. Botts's ardor, and the strong personal feelings that are ascribed to him, alarm the more timid and prudent, and they do not feel safe or confident in following him in so responsible and delicate an affair. Besides, it is considered a little premature at present, when we have another *veto* impending. Botts is dissatisfied at not finding all the Whigs concurring with him, and, I am just told, has written to you on the subject. His discretion, you know, is the least of his virtues, and you should, I think, answer him very carefully and cautiously. He could hardly forbear to use your name and authority as a sanction for his course, and I should consider it as most unfortunate and injurious to have your name at all *mixed up* in this matter.

My feelings against Tyler are strong, but I doubt the policy of impeachment. He would be acquitted, and his acquittal might be considered a justification of his offenses by a country that now condemns him. A vote of a want of confidence amounts almost to an impeachment in all its moral consequences. We have just received intelligence of the election in New Orleans; it is most cheering, and will serve to increase the confidence of your friends, and to augment the *tide* that is now running in your favor.

Nothing has occurred to change or disturb my convictions that we shall pass the permanent tariff, with a reservation of the land fund to the States, and that Tyler will veto it. "Clouds and darkness" rest upon all beyond that. If our tariff friends from the North can be reconciled to it, we will, as the last alternative, pass a bill on Simmons's plan, with a duty of twenty per cent. on the home valuation. I received yesterday your letter of the 10th, and, as the merchants say, *contents* are *noted*. I have this moment seen our friend Abbott Lawrence, and happening to tell him I was writing to you, he *bids* me to say "that there is a sort of a *groundswell* going on in Massachusetts in your favor;" and as to the negotiation with Ashburton, in which you know he is engaged as a sort of auxiliary, he says "that though there have been great difficulties in the way, he sees light ahead, and hopes for favorable results in a few days." With the conclusion of this negotiation, I think it very probable, from what I hear, that Webster will retire from the cabinet, whether into private life or into some other office is more doubtful.

Heaven knows when we shall get away from here. The last conjecture is that it will be about the 15th of the next month. That depends on contingencies.

Hon. HENRY CLAY.

Your friend,  
J. J. CRITTENDEN.

(Henry Clay to J. J. Crittenden.)

ASHLAND, July 16, 1842.

MY DEAR SIR,—Your favor of the 9th is received. You ask whether there may not be danger, in the event of another *veto* upon the permanent tariff, of some of our ardent friends of a tariff yielding distribution. I hope not. Acting together in the passage of the bill; the indignation which another veto will excite; the public manifestation of disapprobation of the past, and the still stronger disapprobation which will be exhibited at the second; the confusion which has been occasioned in the collection of the revenue by the late veto,—all these circumstances combined will, I trust, knit you together, consolidate your strength, and prevent dissension. I think you cannot give up distribution without a disgraceful sacrifice of independence. The moral prejudice of such a surrender upon the character of the party, and upon our institutions, would be worse than the disorder and confusion incident to the failure to pass a tariff. Great as that disorder and confusion would be, it would be to give up the legislative power into the hands of the President, and would expose you to the scorn, contempt, and derision of the people and of our opponents. The disorder and confusion would continue but for a short time, until Congress met again, or was called together, and then let them pass just such another tariff as he had vetoed. The occasion calls for the greatest firmness. Do not apprehend that the people will desert you and take part with Mr. Tyler. They will do no such thing. When the veto comes back, the Locos will probably vote with the President; *that* will identify them still further with him, and as, by their vote, they would enable you to pass the bill against the veto, they will have to share with him the odium of its defeat. *But* if, in the contingency which has been supposed, some of our friends *should desert*, let them go; they will find it difficult to sustain themselves against the storm they will have raised around their heads. If they go they can effect nothing but by a union with the whole *Loco party*, and thus attempting to pass a good tariff without distribution. Now, I suppose it will be impracticable to carry the whole *Locofoco* party, or enough of them, with the deserters, to pass such a tariff. In my view of it, I think our friends ought to stand up firmly and resolutely for distribution. The more vetoes the

better now ! assuming that the measures vetoed are right. The inevitable tendency of events is to impeachment ; but nothing ought to be done inconsiderately, or without full consultation.

I was sorry, therefore, to see our friend Botts allow himself to be drawn out *prematurely* by Mr. Cushing. As to a vote of *want of confidence*, it would be a right thing if you will resolve to follow it up by more stringent measures. The idea of such a vote is drawn from English usage ; and there, if ministers do not resign, the vote is followed by other more efficient proceedings. Here, John Tyler and John Jones would laugh at your vote if you stopped there. They would pass a vote of *want of confidence* in you. It would not do to move such a vote in the Senate, because it is the tribunal to try impeachment. It should be confined, *if moved*, to the House. I am afraid that you would not effect the object of a more thorough identification between the Locos and Tyler. They would go off upon the ground of its being irregular and unconstitutional, and would say that you *ought to impeach*. If a vote of "*want of confidence*" would be carried by the union of the great body of both parties, its effect would be very great. If it can be carried in the House without any splitting of our party, and *nothing better can be done*, I should think it desirable. You may show these views, if you think them worth anything, to the Speaker and your colleague, and General Green.

Your friend,

Hon. J. J. CRITTENDEN.

HENRY CLAY.

(J. J. Crittenden to R. P. Letcher.)

SENATE, July 16, 1842.

DEAR LETCHER,—The Senate will adjourn in a few minutes, and I have determined to employ the interval in writing to you. You are a man of business, and a few words are enough for a wise man.

The permanent tariff bill, reserving the land fund to the States, will pass the House to-day or to-morrow. It will pass the Senate and will be *vetoed*. What then ? I think we will then pass a bill in conformity to your compromise act, laying the duties at twenty per cent., etc. This will leave the distribution act unaffected. What more we shall do personal to Captain Tyler I can't say. Impeachments, votes of *want of confidence*, etc. are talked of, but it is hard to tell what may issue from the wrath—the just wrath—of Congress.

Webster will succeed, and in a few *days*, in concluding a treaty with Ashburton ; so I believe from sure information. It is supposed that Webster will then retire from the cabinet, and then, or shortly after, it is probable that that illustrious body,

the cabinet, will fall into a pretty general dissolution in some decided Locofoco firm. So may it be.

We shall have stirring times here when Tyler's next veto is announced. My great moderation and patience will then, I fear, give way, and explode in a speech. The Senate has adjourned. Farewell.

R. P. LETCHER,  
Governor.

Your friend,  
J. J. CRITTENDEN.

(Henry Clay to J. J. Crittenden.)

ASHLAND, July 21, 1842.

MY DEAR SIR,—I received your letter of the fifteenth. Botts has not replied to me. If he should, I shall express to him my serious regret at that movement of his about impeachment. It was, I think, ill timed and injudicious. No such movement ought to be made, if made at all, without full consultation with friends.

I am not surprised at its tendency to repress the spirit of impeachment. There is cause enough, God knows; but it is a novel proceeding, full of important consequences, present and future, and should not be commenced but upon full consideration, not of one mind only, but (and I dare say Mr. Botts has so considered it) of many minds.

Mr. Tyler will probably veto the tariff, and dismiss old Jonathan Roberts. If he should do so, and Congress adjourns without settling the tariff, there will be a state of feeling among the people that may force Congress to impeach him when it reassembles. In the contingency of his impeachment, I do not think that his acquittal by the vote exclusively of the Locos would have any bad effect.

In my former letter I wrote you what struck me about a vote of want of confidence, as a preliminary measure confined to the House. I thought well of it, but as a definitive, final proceeding, without any ulterior measures, I was afraid it would not do much good.

We have lost the governor of Louisiana; a committee of five gentlemen from that State, which they left on the 9th, dined with me yesterday, and they assure me that the result was owing entirely to the predominance of the Creole feeling and other local causes, and that there cannot be a doubt of the State being Whig, and for me.

J. J. CRITTENDEN.

Your friend,  
H. CLAY.



(J. J. Crittenden to R. P. Letcher.)

SENATE, August 2, 1842.

DEAR LETCHER,—I have just received your letter of the 27th July. I will let you know when I shall be at home, but when it will be, I grieve to say, I cannot now tell. I have a hope, but it is only a hope, that we shall adjourn about the 20th of this month. I feel somewhat relieved to-day, having had, on yesterday, an opportunity of discharging a portion of my detestation of John Tyler. I am resolved that I will not in future allow any great accumulation of it to remain on hand, but will expend it gently upon him, from day to day, to the end of the session. This course will be necessary to my health in this hot season of the year. I go often to the Treasury to inquire about your distribution or land money. The answer is still, "The returns and accounts are not yet received and made out." I take pleasure in dunning them, and shall do it diligently.

We are now on the tariff bill. Bagby is drumming away, and makes some allusion to me. I must listen to him. He thinks while I am writing this letter that I am taking "*notes* on his speech," and has just said that he sees me taking notes. He is a bag of wind. Farewell.

J. J. CRITTENDEN.

R. P. LETCHER,  
Governor.

(J. J. Crittenden to Henry Clay.)

SENATE, August 3, 1842.

MY DEAR SIR,—Tariff bill is now under consideration in the Senate, and I hope we shall order it to be engrossed before we adjourn. So far we have succeeded in rejecting *all amendments*, as well those reported by our committee as those offered by our opponents. The bill is not in every particular as I could wish it, the duties being in some instances too high, as, for example, *our duty on bagging* of five per cent. the square yard. This is much complained of by our Southern opponents, and in truth I could wish it four per cent. But, upon consideration of circumstances, the exigency for money, the exigency of the times, and the delay and danger of sending the bill back to the House, we concluded, with the probability of a *veto* before our eyes, to take and pass the bill as it came to us. I think our determination was right; there is nothing essentially wrong in the bill. We will carry it through without amendment, and have it before Mr. Tyler by Saturday night. Its fate with him is scarcely doubtful, though there are some who indulge the hope that he will sign it. So far as anything can be anticipated from such a man, he will most certainly *veto it*. My informa-

tion *confirms* such an anticipation. Mr. Adams is of opinion that, in such an event, we ought *at once to adjourn* without attempting anything more. In that sentiment *some* of our ardent friends concur; *I do not*. I think we should then pass Simmons's bill with a duty of twenty per cent. and immediately adjourn, and that, too, with a *determination* and agreement to disregard the threatened proclamation of the President to convene us instantly to supply him with revenue. So far as I can learn, Tyler still retains all his delusion, malignity, and madness. The treaty with England will be communicated on Saturday,—so I am confidentially informed by one of our foreign diplomatic friends. There have been some difficulties in adjusting the Creole case not yet entirely settled, but give rise to no apprehension.

Your friend,  
J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, August 8, 1842.

DEAR CRITTENDEN,—I thank you for your letter of the 2d just received. Do, for God's sake, *let out* all your wrath and gall and bitterness upon John Tyler before you come to Kentucky. Make haste and come home and be amiable all the time you have to spend with us. I have not been very sweet-tempered myself for the last six or seven days; but, through the grace of God, I am getting a little better. We shall have a few more Whigs in the legislature than I thought. We shall have about fifty-five or sixty Whigs in the lower House, and seven or eight *pledged* fellows of the *Loco stripe pledged to vote* for Crittenden. *There is good reading for you!* In my opinion, you need not have the slightest apprehension about your election. Ben Hardin and John Helm may possibly try to figure in the game, but it will not amount to much. I have neither seen nor heard from the old Prince very lately. I am anxious to see what Webster will do or say when he leaves the cabinet. If he has one grain of common sense left, he will give the *Tyler concern a hell of a kick* and fall into the Whig ranks and swear he is now and always was a true Whig.

Hon. J. J. CRITTENDEN. Your friend,  
R. P. LETCHER.

(J. J. Crittenden to Henry Clay.)

SENATE, August 12, 1842.

DEAR SIR,—We are in a state of great embarrassment here, and, as yet, no course has been determined upon to lead us through the confusion and difficulty resulting from the last veto.

It is difficult to adopt such a course as will satisfy those who are bent on resistance to the usurpations of Tyler and those who fear the effect of our adjourning without an *adequate tariff*. Our friends of the North seem to be very seriously and sincerely apprehensive that their constituents will be discontented to such an extent as to be fatal to their coming elections if we should adjourn without doing or attempting something more. We had several meetings on the subject with but little success, and are to have another this evening. In the midst of these differences of opinion a kind and conciliatory spirit prevails, and all agree that *union* is our greatest interest, and we will not allow that to be shaken in any event. This is the only conspicuous sign remaining in the dark prospect before us. To-morrow I may be able to write you more distinctly, and you may be assured that, whether wisely or not, we will act considerately. Mr. Adams is chairman of the committee and is preparing a report on the last veto. We look for an able and stirring report, and take care to stimulate him by letting him know that our expectations are high. The treaty with England was laid before us; there has been no action or indication of opinion about it, but I presume it will be approved by the Senate.

Hon. H. CLAY.

Your friend,  
J. J. CRITTENDEN.

(J. J. Crittenden to James Harlan.)

August 16, 1842.

DEAR HARLAN,—At the receipt of your last letter and ever since I have been constantly expecting so early an adjournment that I supposed you would prefer my retaining and bringing with me the certificates of stock, for which you wrote, rather than hazard their transmission by mail. Finding how much I have been mistaken, I regret that I did not at once send; but as it can now not be long before our adjournment, I shall not think it safe to commit them to the mail, seeing that there will be so little difference in the time of arrival, and supposing that it cannot make any difference in the ultimate result.

I believe we shall adjourn during the next week, but all is uncertainty and confusion. While all the Whigs share in the indignation against Tyler's usurpation and despotism, sectional and particular interests connected with a tariff are drawing them in a different direction, and threatening us with divisions. Night after night have we held meetings and consultations with a view to harmonize in some course; but I am sorry to tell you that we have not yet reached any such conclusion, and that I look forward to the issue with some apprehension. A general senti-

ment, however, is avowed by all to preserve the union of the Whig party in any event, and in that it is to be hoped we may find a remedy for the differences of opinion that exist as to the course we ought now to pursue. Some are for giving up the lands, others for passing such a bill as will not raise the question about the lands, and others again are for adjournment without doing anything.

It is almost inconceivable how so paltry and impotent a being as Tyler could do so much mischief; he is endeavoring to make his apostasy the more paradeful and glaring, in order to recommend himself to the Locofocos. He is willing, for his acceptance by them, to pay the price of open shame and treachery, and even on those terms offers himself somewhat in vain. For they are really ashamed openly to take and avow him, though they secretly incite and use him as a tool, as I believe.

We have not yet acted on the treaty with England. It has not been much examined, but I presume that it will be ratified.

The elections in the West have somewhat disappointed us, and especially that in our own State. The distresses of the country are such, and originate in such causes, as seem to me to entitle to lenient consideration those of our friends and countrymen who are excited to some indiscretion, and the way, as it appears to me, to prevent excesses, is to appeal to them in a spirit of kindness and indulgence, and to grant all the relief that is required, and that is warrantable and constitutional. By a small, timely concession, we may avert, what may otherwise probably turn out to be, the same miserable career that we ran about twenty years. My anxiety on the subject induces me to say perhaps too much. You, who are in the midst of the scene and can look over the whole of it, will best know how this excitement for relief can be best tempered, and what I have said you must regard as the private suggestions of a friend, who is too far off, and so little acquainted with the exact state of things, to decide upon it with any confidence in his own judgment.

Your friend,

J. J. CRITTENDEN.

To JAMES HARLAN, Esq.

(J. J. Crittenden to R. P. Letcher.)

August 18, 1842.

MY DEAR LETCHER,—I have only time write you a line.

I think now that we shall adjourn on Monday, according to a resolution passed by the House and now before us.

There will be no tariff law; that seems to me to be pretty certain.

The last communication from the treasury on the subject of your land-money is herewith inclosed. It *hurts* my feelings very much to be dunning so good a man as Mr. Tyler. But

will not a man suffer for his country? Let the diligence of dunning in this case answer the question.

In hopes to see you before long, I subscribe myself,

Your friend,

J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, December 8, 1842.

DEAR CRITTENDEN,—I was called to the office to-night upon a matter of business, and told my wife not to look for me back before ten o'clock. My business is through, my fire is good, and it's only nine o'clock. The idea occurred to me that you would like to get a short letter from *old Kentucky*, so I give you a few lines. I called at your house yesterday to inquire if you were *dead or alive*, but got no satisfaction on either point. The *Yeoman* is still upon your bones; I know that information is quite agreeable to you. There is a long article in the morning paper about the senatorial election. Tanner never wrote that piece; I will *bet two to one* that McCalla wrote it all, except a few sentences penned by the D. All I have heard in regard to the election of senator is favorable to you. Since you left, after a few social gatherings, our town has become solitary and alone. Colonel Johnson spent some time with me a few days ago. *He talks well*, but how he will *act* remains to be seen. It's all a mistake about his going for Clay next to himself for *President*. *He is for me*, after himself, for *he told me so expressly*, and said, moreover, he did not care how soon they *put that* in the papers. He says he will carry Pennsylvania *all hollo!* and no mistake; he is happy in the prospect ahead, and feels confident of success. I told him he would have to hold very strong cards to win the game against a *stocked pack*: he thinks his cards strong enough. Ask Buchanan if the Colonel has any chance for his State. I like Buck, and should be sorry to see the Colonel take his own State from him. The plain truth is, Buchanan is the cleverest man of all his party, and has the best capacity, Van Buren not excepted.

Yours,

R. P. LETCHER.

Hon. J. J. CRITTENDEN.

(Daniel Webster to R. P. Letcher.)

WASHINGTON, December 20, 1842.

MY DEAR SIR,—I received, this morning, your letter of the 23d. I assure you, my dear sir, I should be most happy to see you and talk with you a good deal. I do not believe that in a free conference we should differ very widely as to the causes which have brought things to their present condition; but I am

much more doubtful whether either of us could invent a remedy. I have noticed, of course, what has taken place in Kentucky, not omitting the speeches, letters, etc. at the Frankfort barbecue. Very well! It would be affectation in me to pretend that some of these things, coming from the quarters they did, have not given me pain. They certainly have, while for others I feel nothing but contempt. But neither those which cause pain nor those which only excite contempt will be likely to move me from any purpose which I may entertain. I am glad you think favorably of the correspondence with Lord Ashburton. I send you herewith a copy of some parts of it. I wish it could be generally read in Kentucky, but I suppose that is hardly possible. I will add, my dear sir, that I retain my personal regard and good feeling towards you, never having heard of any personal ill treatment on your part, and not at all questioning your right, as well as that of others, to differ from me politically as widely as you please. Who thinks most correctly of the present, or who predicts most accurately of the future, are questions which must be left to be solved by time and events.

Yours very truly,

Governor LETCHER.

DANIEL WEBSTER.

(J. J. Crittenden to R. P. Letcher.)

WASHINGTON, January 13, 1842.

DEAR GOVERNOR,—I have this day received information of my re-election to the Senate; the majority has far exceeded my expectations. I know not what to say on this occasion; my heart is full, but not of words.

Better friends no man ever had, and to you especially I owe much; but, if the debt is to stand against me forever, I can never pay it off in *words*.

I have received all your letters, and most agreeable and satisfactory they have been to me. Your message is a very good one, and will be popular. It is prudent, wise, and temperate, and very prettily blended with some *tender* strokes of the "*ad captandum*,"—I mean no criticism,—just enough of that sort of coloring to give the whole a fair and glowing complexion.

Since the commencement of this letter, in the writing of which I have been interrupted, I have yours of the 10th inst., and one from Harlan, inclosing your certificate of my election. I suppose that in good manners I can say no less than "*Thank you, gentlemen.*" The result goes so much beyond my calculations that I am almost afraid there has been some conjuration about it. You have had about you, as I learn, sundry suspicious characters, such as Graves, Hawes, Metcalf, Duncan, Pindell, etc., who, though without any seeming connections with you, have,

as I suspect, been acting in some sort of concert with you, and under auspices—— My patriotism opposes all improper interference in such matters; but, yet, as I would not be an accuser, and as I have nothing but *suspicion* against you all, I shall not consider myself bound *in conscience*, as Mr. Tyler would say, to decline accepting the commission which you have sent me. Indeed, I have rather made up my mind to banish all suspicious thoughts, and to consider my friends as the very cleverest fellows in the world, and the most competent, especially in the selection of a senator. Your old friend Buchanan has just passed through an awful time,—a *death-sweat*. His re-election was suspended by a single hair, and for one day, at least, he believed that he was to be beaten. *That* was a fearful day. The danger was occasioned by the same sort of combinations which threatened me at home. I comforted him and gave him all my sympathy, and in the most *disinterested manner* I denounced, for his sake, all coalitions designed to prevent the election of the man who was the choice of the party having the legislative majority. But Buck has escaped, and I am rewarded for my disinterestedness. We have exchanged congratulations.

My old friend Johnson has allowed himself to be drawn into the commission of a sad error. In the situation which he now occupies as a candidate for the Presidency, he ought not to have exposed himself to such a defeat; it will be considered as ominous. I am very much disposed to concur in the suspicion that has been expressed to me, that some of the seeming friends who have urged him to this course, have really done so for the purpose of killing him off out of Van Buren's way. If the Colonel should have cause to believe this, I should think it would open his eyes a little. If the Van Buren-men have played this game upon him it was certainly very adroit, whatever may be said of its fairness. The greater probability, however, is, that it is nothing more than one of those blunders that the mistaken zeal of honest friends leads them to commit. The Calhoun-men are moved, "perplexed in the extreme," by the late letter of General Jackson, and the Philadelphians declare in favor of Van Buren. What they will do I don't know; they don't know themselves. I think they are strongly disposed to nullify that letter. Whether they will shrink from so *daring* a purpose remains to be seen.

There is one duty I must discharge before closing this short letter, that is, to send my most profound respects to Mrs. Letcher. The ladies have a right to interfere in elections. Even my *gag-law* does not touch their rights.

Your friend,

R. P. LETCHER,  
Governor.

J. J. CRITTENDEN.

(J. J. Crittenden to R. P. Letcher.)

MY DEAR LETCHER,—I have received your several letters concerning the senatorial election, and last night your official certificate of its results in my favor. I do not intend to turn sentimental at my age, or, at any rate, to make professions; but to you and a few other friends in particular, and to the legislature of Kentucky in general, I do feel something more than a sense of obligation; it gives me pleasure to feel an affectionate sense of gratitude. Considering all the circumstances, my absence, my residence in the same little town with the other senator; the congregation, at Frankfort, of so many of our magnates who sigh for the place, and the presence of the sinister little party so adverse to me, and sustained by the favor of the federal administration, etc., I do think I may well be proud of the friends who could so signally triumph over all these difficulties and keep down any open opposition. Will some turn in the wheel of worldly events enable me at some time or other to do something in acquittance of these great obligations?

I have repeated consultations here with Sergeant on the subject of our application to the Pennsylvania legislature, and in respect to the most favorable legislation we could expect. In these matters I have been very much guided by him, and we have at length agreed upon a bill, and I start to-morrow for Harrisburg to try to get it passed. I shall touch at Philadelphia, on way to or from Harrisburg, and just feel the Schuylkill Bank a little, to see if there is any better disposition for an amicable settlement.

But for this business I should have returned home, and should now have been on the way, as I finished yesterday the last of my cases in the Supreme Court that will come on at the present term. But this business so encroaches upon the little time between this and the period that I must take my seat in the Senate, that I have abandoned all hope of seeing Kentucky till the adjournment of Congress. The disappointment is a severe one to me. Besides seeing my wife and children so soon, I had the liveliest visions of evenings spent at your house, with exchanges of Frankfort and Washington news, and a most unre-served denunciation of Tylerism and all its appliances and appurtenances. I can see *Old Master* stretched on the sofa, and you lecturing, and at least counting the *drinks* that Mason and I would take from your bottle. But, alas! all this must be postponed for at least three months. What a long three months! Indeed, it has seemed to me since the world began Time never went by so slowly as it has since the accession of John Tyler. Tyler and his cabinet still hold on together; but they are daily acquiring more and more contempt and odium, and



I think it impossible that they should hold out together much longer.

But I am about to become a politician of the most exemplary forbearance and moderation. Clay is in pretty good health and spirits, but I have no doubt he feels a secret melancholy at the thought of quitting the scenes in which he has been so long engaged. I think that I can sometimes perceive the gloom upon him; but his friends here with almost one voice agree that it is the right course for him. Harvey abandoned, as I have before stated, the idea of returning this month to Kentucky. I have written to my wife to set everything in order at home, and then to come on to Washington immediately with the first company that offers. Farewell.

R. P. LETCHER,  
Governor, Ky.

Your friend,  
J. J. CRITTENDEN.

(J. J. Crittenden to his wife Maria.)

WASHINGTON, February 5, 1843.

MY DEAR WIFE,—I have received your letter of the 28th; it renews to me the gratifying assurance that you are well, and gives me that delight which everything from your hand always does. Indeed, at the date of your letter all hands seem to have been not only well but *frolicking*. This is all very agreeable to me. I am glad to hear of Mr. Bullock's return in good health, and of the success of his mission. I shall not quarrel with you all for imputing the little indisposition of which I some time ago complained to my *drinking too much* on hearing the news of my triumphant election; but I must say it shows you all to be a very suspicious set and not overcharitable to be slandering a grave senator with such imputations. I think I have fully as good cause to suspect you of a little intemperance on the occasion. I certainly heard of your having a great carousal and a crowd of good and merry drinkers around you. I do consider my re-election, under all the circumstances, as the greatest and most honorable event of my life, and I rejoice at it the more because you have taken such an interest in it and derived so much gratification from it. I visited Mrs. Bayard last evening; she inquired for you. I never saw her look better or younger. I shall soon have the pleasure of seeing and being happy in the midst of you all.

I have this moment received two letters from Texas, giving me the afflicting intelligence that my son George was with Colonel Fisher in the late most unfortunate invasion of Mexico, and that he is, in all probability, now a prisoner. What is to

become of him in such hands, God only knows. I shall see the Mexican minister immediately and do all I can for his safety and release.

Farewell, my dearest wife.

J. J. CRITTENDEN.

Mrs. MARIA K. CRITTENDEN.

(J. J. Crittenden to his wife Maria.)

SENATE, February 28, 1843.

MY DEAREST MARIA,—I have just received your letter,—the last, you tell me, that I am to receive this session. Then I am sure that I must go home very soon; for not to hear from you or see you is more than I can bear. I am growing quite cheerful at the prospect of being with you so soon, and feel as if I was almost near enough to kiss you. Friday is the last day of the session. We have a great deal to do,—shall probably be in the Senate the whole of Friday night, and cannot be sure of starting homeward sooner than Sunday morning. I hope you will excuse me for setting out on that day; expect me as soon as the journey can be performed. Next Saturday week I shall, without accident, be at home. For that evening let our friends of the legislature be invited to rejoice with us. You know how to anticipate my wishes, and have done so exactly in your proposal to entertain our friends on that evening. I shall be delighted to see the members of the legislature at our house. To find you all well and the house full of friends, will make me happy. My love to all, and to you, my dearest wife, a thousand kisses.

J. J. CRITTENDEN.

Mrs. M. K. CRITTENDEN.

## CHAPTER XVI.

1843-1844.

Letters of General Winfield Scott, of Webster, Clay, Crittenden, and Letcher.

(General Winfield Scott to J. J. Crittenden.)

WASHINGTON CITY, April 5, 1843.

DEAR CRITTENDEN,—It is just a month to-day since you, Archer, and others turned your backs upon me, leaving me to my fate; and here is your first letter cruelly taunting me with the miseries of my isolation. In revenge, I have a great mind to turn *Tyler-man* and seek consolation in the pure circle about him. The run of the kitchen, as I have been cut off from his table since 1841, would be something. As he is everywhere organizing the *Swiss*, a now numerous body even in the United States, he may be glad to accept a "tall fellow"—a "proper man;" and if I get the command of the guard, look out,—you can't *head me*—from the shoulders upwards, taller than your Botts. I shall begin under the good old second section to behead him and all the members of the cabinet except *Dan*, "the faithful among the faithless," and their abettors. "*Ego et rex*"—I and the Captain—will do the work thoroughly. I shall teach Wise that he is an ass, and Cushing that he is a stool. None of your bloodless reforms. Those whom I *turn out* shall be finally *turned in*. Dead men make no clamors. Did not you, at Mangum's supper, give me a lesson in despotism? "Oh, the Father, how he held his countenance!" Oh, rare, "he did it like one of those harlotry players as ever I see." I shall imitate Macbeth: "Be bloody, bold, and resolute," until the whole mass of Whigs shall cry out for mercy. The age stands in need of an example. *I* am the man to give it,—I will bestride the narrow world like a colossus! There's Archer, a "petty man," who of late did "walk under my huge legs and peep about," did no sooner reach Port Gibson than he writes, "Help me, or I sink!" and appoints me St. Louis, in May, to make the tour of St. Anthony's Falls, the lakes, etc. I have flatly denied him, *because* the Captain can't spare me. Preston, too, after much fond talk of you, has just desired me to bring Archer to his solitude; and here's a letter from Clinch tempting me with *bacon* and *greens* to his

end of the world. As to Clinch, who is always talking about you, I have summoned him to receive judgment at the beginning of the next session. Your eloquence shall not again respite him. Besides the "*apple-brandy*," I owe him a grudge about the junction of "*them rivers*." Talking of cutting off heads, reminds me of your invitation to commit treason by promising to play the part of a silent accomplice; but he who plays at that game must be sure that he wins.

"Treason never flourishes, what's the reason?  
When it flourishes, none dare call it treason!"

I have not seen the President but for five minutes last month, when I went to *say* that I was about to run away for a few days to New York on public business and to my house in Jersey on private business, and I have scarcely seen a member of the cabinet. In this month they have committed rather more than the usual amount of *meanesses*. Preston, in the letter before me, thinks this kind of *tape* rather more dangerous to our institutions than the open, ruffian violence of Jackson. Removals and putting in relatives and *corrupt hacks* are the *order of the day*. Webster is gone east. I learn from good authority that he has been in doubt whether to go to London or stay at home and run for the Presidency on the question of the assumption of State debts. In one or the other position he hopes to become the *agent* of the European holders of American securities and make a million. Can this best be done as President or minister? That's the question! He may therefore be expected to return. The new Secretary of War makes us already regret the old.

Upshur, it is said, is to go to the Department of State, and be *himself* replaced by Cushing. Wise, I fear, will be re-elected, and our friend Botts beaten. This I should greatly lament, for "we could better spare a better man"—or rather a *wiser*. B. has great moral intrepidity, which the times call for.

Profit, I am told, is still here, but whether detained by sickness or waiting for his reward I know not.

I know not how to help your Missouri friend, who wants the charge of the hemp business, having no communication with the Secretary of the Navy. I shall continue to turn the matter over in my mind, but with little hope of being able to do anything.

In a brown study I was brought up the other day all standing at your door in Jones's Buildings. *Eight long months* more must elapse before we meet again.

You will see Webster's dispatch about the right of visit. The *Madisonian* of to-day is even bellicose on the subject. With respects to Mrs. Crittenden and Letcher,

I remain your friend,

Hon. J. J. CRITTENDEN.

WINFIELD SCOTT.

(General Winfield Scott to J. J. Crittenden.)

WASHINGTON, June 29, 1843.

DEAR CRITTENDEN,—I have just returned from a tour of special duty at the Military Academy, and find the accompanying letter, which I hasten to send you.

I see that (as they say of theatricals) you are "*starring*" in Missouri, in the same *troupe* with Benton! How is this? I shall have to cut your acquaintance or take the other tack and become a *Tyler-man*. I'll cut my throat first! Did you note how nicely I got off from swelling the pageant at New York, Boston, etc. by going to hard work at West Point? The President wanted me very much; but I spoke to him of *the importance of the duties in which I was engaged*,—and I told the truth. You have had a lucky escape, for I came very near setting out for Frankfort and Lexington yesterday. The Fayette Legion invited me to join them, but I was compelled to return here, and apologized to the Kentuckians. I shall never have another chance of seeing you under your own roof.

Hoping that you are taking care of your health and *pockets*, I remain, in haste,

Your friend,

Hon. J. J. CRITTENDEN.

WINFIELD SCOTT.

(General Winfield Scott to J. J. Crittenden.)

WASHINGTON, October 14, 1843.

MY DEAR SIR,—I dispatched a hasty note to you some days ago. You may remember what I said to you in the summer of the design to run Mr. Webster on Mr. Clay's ticket. The project has recently been revived in the *New York Courier and Enquirer*, and the Whigs in that city by resolutions have spurned the proposition. The *Richmond Whig* is equally indignant against the *Courier and Enquirer*. "Where am I to go?" the ex-Secretary may again piteously ask. I have no doubt there was some foundation for the report I formerly mentioned to you. We have had great success in Maryland and Georgia, upon which I felicitate you. In Philadelphia we have had a glorious victory. I have declined all invitations to public meetings,—the Bunker Hill, Fort Wayne, and some thirty others,—not wishing to divert a single Whig from the single candidate or to excite attention to my *humble self*; I understand, however, that certain newspapers still keep up my name. I have prevented the establishment of a new paper here with the same *partial views*. I wish to give a clear field, and God grant us success. Dick Johnson was here lately rather under the weather. He begins to think the *Locofoco leaders* will shuffle him out of the contest. He is gone North and East. I have no doubt he

will gladly take the Vice-Presidency, and *that* will be the result. Of what the cabinet is doing, or design to do, I know nothing. I have not seen Mr. Tyler since the 4th of July, when I called. Upshur, I learn, has been writing certain bellicose articles in the *Madisonian* against England in relation to Texas. Clinch is with me for a day or two. We talk a good deal of you, the *Tems*, and the Withlacoochee. He will be back in January, when, if he does not abandon that *junction*, I shall have him shot under the former merited sentence. By the way, he brought some of Schley's brandy with him from Baltimore.

In great haste, most truly yours,

WINFIELD SCOTT.

Hon. J. J. CRITTENDEN.

(Daniel Webster to R. P. Letcher.)

MARSHFIELD (Mass.), October 23, 1843.

MY DEAR SIR,—I read your letter of the 2d instant not only with interest but with *emotion*. I believe every word you say, of your kind feelings and friendship towards me, which I am sure you believe I reciprocate fully and cordially.

In the first place, you are right in supposing that I must live and die, as I was born, a "Whig;" as we have understood that term, and especially as we have understood it in the contest of 1840. He is a fool as well as a foe who supposes it possible for me to tread back the steps of my whole political career, and abandon those principles, the support of which has made me considerable in the country. I am as willing now as I ever was to exert my faculties for the continued support and further diffusion of those principles.

But, then, I have some degree of self-respect and some pride; I shall certainly submit to no sort or degree of ill treatment, and such, I must confess, I think I have received. I seldom speak of myself or my affairs; but, as you invite it, I will be frank. I think, then, that a certain party, or division of the Whigs, mostly in the West and South, have not extended, in time past, that cordial respect towards some of us, this way, which they have ever received from us. For instance, in 1836 there was no Kentucky candidate before the people; there was a Massachusetts candidate. *How did Kentucky act?* And, let me add, it was *Kentucky*, in the course adopted by her in 1836, that gave a new and unexpected direction to Whig preferences, and *kept her own favorite son from the place in which she wishes to see him*. I need not prove this; reflect upon it, and you will find it is just so. But let that pass. We all finally concurred in General Harrison's election. His death blasted our prospects, and we had another man, and another kind of man to deal with. The Whigs

were immediately alarmed, but the universal cry was, "Let General Harrison's cabinet keep their places." I kept mine, and yet there are those who will never forgive me for it. The last conversation I ever had with Mr. Clay, he said, "I had great national objects, which I supposed I could answer by staying in the department; I was justified in staying." That was my own opinion. I had such objects, and I stayed till they were accomplished. You regret that I remained after the treaty *was completed*. My dear sir, when was the treaty completed? It was ratified at the end of the session of 1842. The laws for carrying it into effect had not passed, and I knew were to be opposed, as they were opposed. They passed, however, at the end of the last session; and then, and not before, the treaty was "*completed*."

I then drew up the papers for the China mission, a measure which had originated with myself, and then immediately resigned my office. Now, my dear sir, what is there to complain of in all this, supposing me to have been right in staying in the cabinet one hour after the other gentlemen left it?

There are other things: I did not approve of some acts of the Whigs in the called session of 1841. I did not approve of the rejection of Mr. Ewing's bank bill; I did not approve of the readiness, not to say eagerness, which was manifested in some quarters to have a quarrel between the Whigs and Mr. Tyler. I thought we ought to try, to the last, to hold him, as far as possible, to Whig principles and a Whig administration; for I was unwilling to lose *all* the great objects of the preceding contest. I lamented, therefore, the Whig manifesto of 1841, both in regard to its spirit and its topics.

In September, 1842, a proceeding took place at a Whig convention, in Boston, which I knew was aimed against me. Its object was to destroy my standing and character, politically, with the Whigs. This object I determined to defeat at all hazards, and all consequences; and, thank God, I did defeat it. I defended myself, and nothing more; and if what was done, *necessarily*, on that occasion, reached so far as to be detrimental to others, I am not answerable for that result.

And now, my dear sir, let me recall to your recollection a little the course of events, and the conduct of some leading Whigs. I remained in office under the circumstances already stated; I got through the negotiation with England, and it does not become me to say how important this was to the country, or whether it was well or ill conducted. But, one thing is certain, it never received a word of commendation from certain leading Whigs. They did not complain of its results; but they did not appear to think that; in the conduct and conclu-

sion, there had been any *merit* worth speaking of. Very well; no man is bound to praise; praise and commendation must be voluntary. But, then, if to withhold approbation is no injury to be complained of, gross abuse, personal and political, is such an injury; and you know how freely that has been bestowed on me. You know how I have been attacked and vilified by such men as Garrett Davis, Botts, Jno. C. Clark, Rayner, and many others, in Congress, all of them being more especial friends of Mr. Clay; I say nothing of what has been done outdoors, or of the conduct of the scoundrel who publishes the leading Whig press in Kentucky.

And, I must add, that if any attempt has been made by anybody to check this course of atrocious abuse, in and out of Congress, such an attempt has never come to my knowledge.

I have now, my dear sir, spoken to you, of myself, quite as freely as I have spoken to anybody; I have done so with entire confidence in your friendship, and it is time, I believe, to take leave of the subject.

I wish well to the Whig cause, and am ready to make all reasonable sacrifices to insure its success. But those who expect to displace me from my position, will find, if they have not found already, that they have a work of some little difficulty. I verily believe there is Whig strength enough in the country to elect a President; but that object can only be accomplished by the exercise of much consideration, wisdom, and conciliation. We must have a hearty *union*, or the prospect is hopeless. That we must all be convinced of.

Our State elections are now going on as they should have gone on last year, with a studied abstinence from national topics. The result will be, as I believe, that we shall carry the State by a strong majority. Massachusetts may then properly speak on national subjects. At present, she must reckon herself among *Locofoco* States.

I shall be glad to hear from you, my dear sir, freely and fully as I write you. I go to Boston this week, at which place please address me.

With constant and sincere regard, truly yours,

D. WEBSTER.\*

Gov. LETCHER,

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\* Two or three letters of Mr. Webster's to Governor Letcher have been kindly given to me by Mrs. Letcher, and I think they will be interesting in this connection.



(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, November 30, 1843.

DEAR CRITTENDEN,—That you may not be disappointed, I tell you in the outset I have no news of any sort to interest you. The town looks like a deserted village; whether this is occasioned by your absence I will not undertake to say. We have, every now and then, a very good saddle of venison and a few jolly fellows around it,—some drinking, and others wishing to *drink*, but refraining lest they might incur the heavy penalties of excommunication from "*temperance privileges*." I wonder how my friend General Scott would figure as a member of the temperance body? If he will apply for it, I will send him a commission as president of the anti-drinking club without delay. Let him have no false delicacy about the application. One of the merits of my administration is, to reward merit, though in obscurity. How do the political cards run now? The old Prince holds the honors, don't he? I see some signs of Calhoun's intention to run, under the "*free trade banner*." Let him try his luck; he may do good—can do no harm. That old sinner declares and swears, I am told, that John Davis is the agent of the Yankee and English abolitionists, to raise an insurrection in the Western States, and that he is paid by the day for *services*. Shall he be put in the asylum at Lexington or Frankfort? Benton, I am told, called upon the old Sea Serpent on his way to Washington; that was, I suppose, to clear up the charge of a coalition with Clay. I think, after that, he might venture to visit Captain Tyler. Warmest regards to Mrs. Crittenden.

Your friend,

R. P. LETCHER.

Hon. J. J. CRITTENDEN.

(Henry Clay to J. J. Crittenden.)

ASHLAND, December 5, 1843.

MY DEAR SIR,—I received your favor of the 29th, on the subject of Texas, or rather its annexation to the United States. I had received a letter from Mr. Child, the editor of an abolition paper in New York, to which I returned no answer; not that I was unwilling to announce my opinion upon that subject, but that I did not think it right, *unnecessarily*, to present new questions to the public. Those which are already before it are sufficiently important and numerous, without adding fresh ones. Nor do I think it right to allow Mr. Tyler, for his own selfish purposes, to introduce an exciting topic, and add to the other subjects of contention which exist in the country. How is he to prevent it? Texas can only be annexed to the United States by *treaty* or by conquest. If the former, it is Mr. Tyler's duty—if he thinks it right to annex it—to conclude a treaty for that

purpose, *if he can, and lay it before the Senate.* Nobody, I presume, would propose to acquire it by war and conquest. But, let me suppose that he limits himself to a simple recommendation of annexation without having negotiated any treaty for that purpose,—what could Congress do upon such a recommendation? They could pass no act to effect it; he might as well recommend the annexation to the United States of Mexico itself, or of any other independent power. Indeed, a recommendation of any other independent country would be less irrational than the annexation of Texas, because to Texas Mexico asserts a title which she is endeavoring to enforce by the sword. We could not, therefore, incorporate Texas into the Union without involving the United States in war with Mexico, and, I suppose, nobody would think it wise or proper to engage in war with Mexico for the acquisition of Texas. We have, it is true, acknowledged the independence of Texas, as we had a right to do, for the sake of our commercial and other intercourse with Texas, but that acknowledgment did not extinguish, or in any manner affect, the rights of Mexico upon Texas. What has the House of Representatives to do with the treaty-making power *prior* to its exercise by the President and the Senate? Considered as a practical question, every man must be perfectly convinced that no treaty, stipulating the annexation of Texas, can secure for its *ratification* a constitutional majority in the Senate. Why, then, present the question? It is manifest that it is for no other than the wicked purpose of producing discord and distraction in the nation. Taking this view of the matter, I think, if there be such a recommendation, it would be best to pass it over in absolute silence, if it can be done. Should a discussion of it, in spite of your wishes, be forced, then, I think it would be better to urge some such topics as I have suggested above, and to treat it as a question with which Congress has nothing to do, and which has been *thrust* upon it by one who has neither the confidence of the nation, or either of the great parties in it, with the evident view of promoting his own personal interests by producing dissension, discord, and distraction. If there be no formal application from Texas itself, it might be urged, that to discuss the question of annexing it to the United States would be derogatory to the respect due both to Texas and Mexico, and would violate the dignity and character of our own government. I think, in some of the modes which I have suggested, or in some other which may present itself to our friends at Washington, the mischievous designs of Mr. Tyler may be averted. Should, however, a question be actually forced upon you in such manner that you will be compelled to express an opinion *for or against* annexation,

I do not know what your view may be ; but *I* should have no hesitation in voting *against it*. Here are some of my reasons :

First, the territory of the United States is already large enough. It is much more important that we should unite, harmonize, and improve what we have than attempt to acquire more, especially when the acquisition would be inevitably attended with discord and dissatisfaction. Second, it is wholly impracticable to accomplish the object of annexation, if it were desirable, for reasons already stated ; and, in the third place, if Texas were annexed to the United States, the motive with those who are urging it would not be fulfilled. It would not now, or ever, give to the slaveholding section of the Union a *preponderating weight*. The other portion would continue to retain the ascendancy, which would be ultimately increased by the *annexation* of Canada, to which there could be no objection if Texas were admitted to the Union. I might add that there is great reason to doubt whether Texas *could* be admitted consistently with the Constitution of the United States ; but I do not dwell upon that point because of the force of the examples of Louisiana and Florida. Some six or seven years ago I addressed a confidential letter to a distinguished friend, communicating my opinion adverse to the annexation of Texas. I placed it upon the ground that we already had quite as much, if not *more*, territory than we could govern well ; that I had no desire to see a new element of discord introduced into the Union ; that it was far more important to the happiness of our people that they should enjoy in peace, contentment, and harmony *what* they have than to attempt further acquisitions at the hazard of destroying all those great blessings. I have no copy of that letter, but I hope it is in existence, and I will endeavor to procure a copy of it to be used hereafter if rendered necessary by the progress of events. I shall regret very much should the proposition come to a formal question. If the Whig party should in a *body vote in the affirmative*, such a vote would be *utterly* destructive of it, without the possibility of securing Texas. The best *use* to make of Texas, *perhaps*, is to hold out to our Northern friends that if by the unhappy agitation of the question of slavery they should *force* a separation of the slave from the free States, in that contingency the former would be prompted to strengthen themselves by the acquisition of Texas. Texas is destined to be settled by our race, who will undoubtedly carry there our laws, our language, and our institutions ; and that view of her destiny reconciles me much more to her independence than if it were to be peopled by an unfriendly race ; we may live as good neighbors, cultivating peace, commerce, and friendship. I think you will find there is not the

smallest foundation for the charge that Great Britain has a design to establish a colony in Texas. Such an attempt would excite the hostility of all the great powers of Europe, as well as the United States. But odious as such a design on the part of Great Britain would be, as she would probably cover it under the pretext of emancipation, her conduct would not be regarded with so much detestation by *the civilized world* as would that of the United States in seeking to effect annexation. The motive that would be attributed to her, and with too much justice, would be *that* of propagating instead of terminating slavery. I send you this letter in its rough draught just as I have dictated it to my son John, who has acted as my amanuensis. When the message arrives I may write you again, if there is any occasion in that document for doing so. I am glad to hear of the faith which our friends entertain in our success next year; but I hope they will add good works, which I cannot help thinking important both in *religion* and *politics*.

I remain faithfully your friend,  
H. CLAY.

Hon. J. J. CRITTENDEN.

(J. J. Crittenden to R. P. Letcher.)

WASHINGTON, December 10, 1843.

DEAR LETCHER,—I have received your letter and thank you for it.

The concern you expressed for that old gentleman who is so distressed about his son's banishment and troubled with such evil visions about John Davis's mission to the West is quite natural to one of your tender sensibility; and I am quite sorry that your charity should be disturbed by the doubts you entertain as to which of your *asylums* would be the properest receptacle for him. Something ought to be speedily done, for I understand he has been fighting lately almost in your presence, and if his distemper should take a belligerent direction, the danger might be great. I suppose you are now convinced, all your speculations or fears to the contrary notwithstanding, that Van Buren will be the candidate of his party. There is no doubt about it. All the developments that have taken place here prove it, and no question is any longer made about it. His friends have a clear majority in the House of Representatives, and the Calhoun men and all other malcontents sunk under their ascendancy; though they had been plotting and threatening opposition, they did not, when the crisis came, dare to make it openly. They are now, I believe, ashamed of their tameness, and are revenging it by muttering their discontent, which I have no doubt is greatly increased, though to the

world everything appears quite smooth and calm. Calhoun has no strength—no abiding supporters—out of South Carolina, and must soon be given up by the friends he has. When that time comes, I cannot tell where they will go. I think but few of them will support Van Buren, and I feel still more confidence that the better part will rally to Clay. They will have more confidence in the Whigs than in the Van Burenites, and I think we ought to manifest to them that ours is the liberal and catholic cause, and that all true men who come to its standard are received and treated according to their merits,—"that the latch-string is always out" and a welcome ready for them. The Whig press has been and continues to be very impolitic, and I may say ungenerous, in the hostile spirit with which it pursues Mr. Calhoun and his party. Cannot a wiser and a more liberal tone be given to it in Kentucky? Talk with Robertson on the subject; and if he concurs, as I am sure you will, he is the very man to give the right direction in this matter.

Tyler is very much incensed at the election of Blair & Rives as printers to the House of Representatives. He considers it as a sanction of all the abuse that the *Globe* has visited upon him. And so far he is right. He and his son Bob declare that the Democrats have insulted the President at every step they have taken during the session, and that if the contest must be between Van Buren and Clay they will prefer the latter. There is no doubt, I believe, that they are saying this, and much more, of anti-Van Burenism, as, for instance, "that the world cannot furnish a parallel of *the ingratitude* and treachery with which they have been treated by the Democratic party." But these gentlemen are at best very *unsartin*, and are now truly in a great passion. They are, thank Heaven, of no particular importance, and no calculation can be made about them. Webster is expected here about the last of the month. All that I hear about him is but confirmatory of the conclusions we formed at home,—that he wants to come back to the Whigs, that he will come back, and that he *must* come back.

R. P. LETCHER,  
Governor of Ky.

Your friend,  
J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, December 18, 1843.

DEAR CRITTENDEN,—Your letter of the 10th is received. You will get the *Commonwealth* to-morrow, and there you will see a hurried little article in regard to Calhoun and his friends. It

will do pretty well for a beginning. Calhoun's friends feel *flat* and *foolish*, and *talk* and *look* like a slave who has been well chastised by his master, swearing he will be damned if he ever takes such another flogging without *hitting* a lick in return, and all the while looking around to see if his owner does not overhear his threats. Now, the plain matter of fact is, they are entirely too tame—*too submissive*; no reliance can be placed in such a bragging set of fellows.

However, cultivate their acquaintance,—they will surely come to the aid of the Whigs, particularly if their support is not needed. If we can do without their aid, they will be the most fiery, rampant fellows you ever saw or heard of. *I know the boys of old*,—the same fellows I served in Congress with for many years; but they come now with changed names. I am anxious to hear what Webster is about; what he says; how he looks, and what he will do. I think your idea about him is correct. I shall mourn over his downfall should he fail to come up to the mark.

I am rarely in town,—never, in fact, unless I go out to help some good friend to *eat venison*. That I am sure to do, being naturally a kind-hearted, obliging sort of fellow. Let me hear from you often.

Very hastily, your friend,

R. P. LETCHER.

## CHAPTER XVII.

1844-1845.

Letters of Crittenden, Letcher, Clay, Buchanan, etc. etc.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, January 18, 1844.

DEAR CRITTENDEN,—As I shall eat no dinner to-day I can take a moment to give you a line. *Why eat no dinner?* Because I shall give a large oyster-supper to-night to about forty, and of course I wish to have a good appetite. This legislature don't move to suit me at all,—there is no concert, no energy, no tact; therefore there will be no good results. Helm heads the Locos in his decisions and in most of his votes. I have never been in the House; see nothing of the members, except in large parties. A leader is wanted. Graves takes but little interest in the House; perhaps he is too modest to aspire to be a leader. Jake Swigert and others wish me to put you on your guard in reference to Hardin, the postmaster, saying there was a rascally intrigue on hand to *oust him*. Had you not better see Wickliffe about his illustrious kinsman, and endeavor to save him. I have not read Rives's letter,—*it will no doubt do to talk about*. I should like to see and hear what Calhoun can say why sentence should not be pronounced upon him. I still have my fears about *Van's* ability to *stand up*,—he is too weak to run, you may rely upon it; he is like Baillie Peyton's steer, which was so poor and weak it had to be *held up* to be shot. Mr. Crittenden will have, no doubt, a full report of the fair held last night. All I know is that a gentleman of your acquaintance *suffered severely* in the action. This thing of eating for a church is no light affair, I can tell you. I have been upon the decline ever since the fair opened.

Your friend,  
R. P. LETCHER.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, January 22, 1844.

DEAR CRITTENDEN,—You know I never complain; but I should like to suggest, in the most delicate manner, that you have all become exceedingly *silent* in and about Washington for

the last four weeks. What's the matter? Have you all turned Tyler-men? No, I should say not, as I see that the great "Prophet of Indiana" is rejected, and so is Henshaw. So far so good. Spencer, I suppose, will also be genteelly executed. If you can't get a good man, hold the place open for the next administration. My legislature is *no great things*, and I have very little reliance upon their sagacity or usefulness. The Locos have a leading control in everything, with the assistance of the Whigs, and I say it with the most perfect respect, take them altogether they are *a poor set of fellows*. They were afraid to give Dick Apperson his seat, though he was certainly entitled to it, lest they might *hurt feelings*. You may think I am writing you a letter, but I am not,—I am *now* talking to a fellow about a *fine* which he will have to *pay* to a *dead* and everlasting certainty. He is about closing his last speech, and when he gets through I have nothing further to say to you. What has become of Calhoun's *love-letter*? I am waiting with impatience to see it. Rives's letter takes very well in this county. Will Van Buren be the candidate? I fear not! Answer all these questions and a great many more which I have not time to put to you.

Good-by says my man, and good-by *says I*.

Your friend,

R. P. LETCHER.

(Henry Clay to J. J. Crittenden.)

NEW ORLEANS, Jan. 24, 1844.

MY DEAR SIR,—I received your favors of the 2d and 8th instant. The object of the latter is attained by the death of our excellent friend, Judge Porter, so far as respects a *vacancy*. I wish I could add that it would surely be filled by a Whig. That is very uncertain, although my hopes preponderate over my fears. A few days will supersede all speculation. I thank you for the information contained in yours of the 2d. If Mr. Tyler's present dispositions do not lead you to attach an undue importance to them, nor induce the Senate to confirm nominations which they ought to reject, they are not to be regretted. Among those nominations are Cushing's, Profit's, and Spencer's, the latter decidedly the most important of them all. Does any man believe these men true or faithful or honest? If Spencer be confirmed, he will have run a short career of more profligate conduct and *good luck* than any man I recollect.

My departure from this city I have fixed between the 20th and 25th of February, and my arrival at Raleigh 12th of April. I shall leave Mobile the 1st of March. I have approx-



priated about a month and a half for the tour of Alabama, Georgia, and South Carolina.

Your friend,  
HENRY CLAY.

Hon. J. J. CRITTENDEN.

(J. J. Crittenden to R. P. Letcher.)

WASHINGTON, Jan. 28, 1844.

DEAR LETCHER,—I have just received your letter of the 22d instant, and am pleased to discover in it some evidence that a little neglect on my part in writing *has* had the effect of producing mortification and making you unhappy. This is quite flattering. But that poor petitioner! You were mad at not receiving one of my agreeable letters, turned your ill humor on him, and refused to remit his fine.

But now for your question. Calhoun's letter has no doubt been returned to him by his friends for reconsideration, because, as it is said, they thought it a little too strong or *harsh*. We *shall* soon have it, I suppose, in some form or other. His friends here give indications which satisfy me that they will prefer Clay to Van Buren. They have, however, been so much disappointed and thrown into such a predicament by the superior strength and management of the Van Burenites, that they seem hardly to know what to do or say. For the present, they are very cautious and stand on their reserved rights. Clay, I believe, will ultimately get the vote of South Carolina, if necessary to his election. Her public men will *have a hand* in the *contest*, and will be quite willing, I suppose, to take a share *in the crop*. They must be tired, it seems to me, of that pretension to superior purity, which in times past made them turn their backs on such contests and *throw away* their votes. Webster, you know, is here. He *called* to see me, and I returned the civility, and we are quite gracious, as much so as could be expected. We talk of the approaching presidential election as a *common concern*. He identifies himself with us, and says *we* ought to do *this, that, and the other*, and he has decided on his course, and will go with us in support of the Baltimore nomination, and he knows well what that will be. You may soon expect to see a manifesto from him in the form of an answer to some New Hampshire men who were good enough to ask him to be a candidate for the Presidency. It will answer the purpose well enough, but it is not in that lofty and magnanimous style in which, for his sake, I should have liked to see him take his station in the field. Rives's letter is a good one, and he deserves credit for it. He is in earnest, and means to act up to it. After a long withdrawal, he again attends our

Whig meetings and consultations, and evidently wishes to be considered *one of us*. The confidence of Clay's election is already producing *noble effects*. The *tide* is in his favor, and all the floating votes are turning to him. Van Buren is surely to be the *Loco* candidate; that is the settled *doom* of the party, and the authors of it could not, if they would, change it.

The abandonment of Van Buren now, or his withdrawal from the contest, would be the signal of dispersion and defeat to the party, so you need not make yourself at all uneasy lest he should withdraw. For my part, I should be very willing to see them make the experiment. Tyler, there is no doubt, is now chiefly hostile to the Van Burenites, and may probably give the Whigs a preference over them during the balance of his administration, but there is no anticipating his vacillations or where he will settle down. *We* will certainly do nothing to repel his preference; *we* will even do what we can to cherish in him any returning sense of kindness to the Whigs; but we intend also to hold on our course firmly and act our part in such a manner as to be satisfied with ourselves in any event that may happen. I think Porter will be rejected as Secretary of War, and Spencer, as Judge of the Supreme Court. This week will probably witness the decision in both cases. Wise has been nominated to Brazil, and will probably be confirmed. Many of the Whigs will vote for him from motives of kindness or policy, and some because they are satisfied with reducing him to so inferior a station. I have not determined myself what to do. I feel a repugnance at voting for him, and I do not like to vote in opposition to the friends who will vote for him.

Your friend,

R. P. LETCHER, Governor, etc.

J. J. CRITTENDEN.

(Henry Clay to J. J. Crittenden.)

NEW ORLEANS, February 15, 1844.

MY DEAR SIR,—General F. Mercer has just arrived here from Texas, and brings intelligence which has greatly surprised me, but which, in fact, I cannot believe to be true. *It is in substance* that it has been ascertained by a vote in secret session, or in some other way, that forty-two American senators are in favor of the annexation of Texas, and have advised the President that they will confirm a treaty to that effect; that a negotiation has been opened accordingly in Texas, and that a treaty will be speedily concluded.

Is this true, especially that forty-two senators have concurred in the project? Do address me instantly, both at Montgomery, in Alabama, and Columbus, in Georgia, and give me such information as you feel at liberty to communicate.

If it be true, I shall regret extremely that *I* have had no hand in it.

Your friend,  
HENRY CLAY.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, March 13, 1844.

DEAR CRITTENDEN,—No. This is fact in regard to White's declension of the judgeship. It will wear the appearance of a mere connivance, a sort of strategy, on my part, to take time, etc. If I could have had the least intimation in advance of his change of opinion, I would have been ready for the occasion. But let it pass; no doubt there are some strong reasons why he should not leave his post. Squire Turner is in the field to fill White's vacancy. The disappointment which he will experience on the occasion is enough to break the heart of any man of your tender sensibility; and how do you suppose White can stand that? What about Virginia? I am afraid of the April elections; my strong impression is the State will go against us. There is this comfort in the matter, however: it may be the means of making Van Buren run the race. On this point I have always entertained strong fears. I can give you no town news. Oh, yes, I did hear that General Metcalf *pulled the nose* of a little fellow by the name of Green last Sunday evening. Let him pay his fine like a gentleman. I have already notified him not to look for any mercy from the executive, but to pay up promptly. He replied "that what occurred was *confidential*, and he hoped no trial would take place." When do you expect to be at home? I know the idea of an adjournment is distressing to you; but I want to know when you will be forced to come home.

Your friend,  
R. P. LETCHER.

Hon. J. J. CRITTENDEN.

(Henry Clay to J. J. Crittenden.)

SAVANNAH, March 24, 1844.

DEAR SIR,—I arrived here on the 21st, and shall leave tomorrow morning. My reception everywhere, from Mobile to this place, has been marked by extraordinary enthusiasm. I have borne the fatigues of the journey better than I feared; indeed, I have nothing to complain of but a hoarseness produced by public speaking, into which I have been reluctantly drawn. I received at Montgomery and Columbus both of your letters relating to Texas, and I find that subject is producing great excitement at Washington. I have forborne hitherto to express any opinion with regard to it. I reserve for my arrival

at Washington the consideration of the question whether it is not necessary to announce my opinions. I think I can treat the question very differently from any treatment which I have yet seen of it, and so as to reconcile all our friends and many others to the views which I entertain. Of one thing you may be certain, that there is no such anxiety for the annexation here at the South as you might have imagined. I take pleasure also in informing you that I have not seen one Whig during my journey who is not satisfied with the ground on which I place the principle of protection in connection with a tariff for revenue; and you may say to the senators from the South who belong to our party that they may with perfect safety and confidence vote against the fraudulent tariff which is working up in the House. I adhere to my purpose of reaching Raleigh by the 12th of next month, and of getting to Washington towards the end of April. I expect to pass by Columbia and Charleston.

Your friend,

Hon. J. J. CRITTENDEN.

H. CLAY.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, April 10, 1844.

DEAR CRITTENDEN,—You are so very much elated since the unexpected success of the Whigs in Connecticut, that you are entirely above writing to your *poor friends*. Never mind, the next news you hear will make you “laugh the wrong side of your mouth.” I’ll see then whether White and yourself will go off and *get confidentially* tipsy. Jephtha Dudley says, I am told, that when the full returns come in it will be seen that the Democrats have carried the State by a small majority against the combined fraud of the abolitionists, the Tylerites, and the *rascally coons*. Wait awhile; don’t crow so soon; look out for complete returns. The *Yeoman* may possibly furnish you more accurate information than can be obtained from the Connecticut papers. However, upon a moment’s reflection, I doubt whether the editor of that valuable journal is just now in a communicative mood. “Mr. Tanner,” said a young gentleman near the post-office door this morning, “can you tell me *how* the Connecticut elections have gone?” “*Damn Connecticut*,” said he, “I neither *know* nor *care*!” I doubt from this whether the honorable gentleman will give you information on this point. What do you think of Virginia? I should be sorry for her to go with us at her spring elections, lest we should be deprived of the pleasure of beating that same *little fellow*. I have always been afraid he would “*slope off sorter*” before the day of the race. Don’t let him get away,—hold him to the track. Is Buchanan happy now? What does he say? *How* does he look?

I wouldn't have been so *badly scared* about Connecticut as you were for *two* such States in fee simple. Now, take that. Adjourn your memorable Congress as soon as possible and come home. If you *must* get tipsy and will get tipsy, and nothing else will do, come home and I'll take a turn with you myself rather than you should fall into the hands of strangers. I did not see Benton when he passed through here. I regret it.

Your friend,

Hon. J. J. CRITTENDEN.

R. P. LETCHER.

(Henry Clay to J. J. Crittenden.)

RALEIGH, April 17, 1844.

MY DEAR SIR,—I transmit herewith a letter, intended to be published in the *Intelligencer*, on the Texas question. In my opinion, it is my duty to present it to the public, and in that *Badger*, the governor, and Stanley concur. I wish you to confer with Mangum, Berrien, Morehead, Stephens of Georgia, and any other friends you please about it. I leave to you and them the *time* of the publication, whether before or after my arrival at Washington. To slight modifications of its phraseology I should have no objections. I leave here to-morrow for Petersburg. I shall leave Norfolk, if I can, Wednesday.

Your friend,

H. CLAY.

(Henry Clay to J. J. Crittenden.)

PETERSBURG, April 19, 1844.

MY DEAR SIR,—I transmitted to you from Raleigh a letter, on the subject of the annexation of Texas, for publication. I observe with the greatest attention all that is passing in regard to it as far as it is visible to my eye. I feel perfectly confident in the ground which I have taken, and feel, moreover, that it is proper and politic to present to the public that ground. I leave *you* and other *friends* merely the question of deciding when my exposition shall appear. I cannot consent to *suppress* or unnecessarily *delay* the publication of it. I think it ought to appear not *later* than to-day or to-morrow week. I entertain no fears from the promulgation of my opinion. Public sentiment is everywhere sounder than at Washington. I should be glad to receive at Norfolk, if you feel authorized to send me confidentially, a copy of the treaty. I leave here to-morrow for Norfolk, from which I shall take my departure Wednesday or Thursday next.

Your friend,

Hon. J. J. CRITTENDEN.

H. CLAY.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, Monday.

DEAR CRITTENDEN,—We have our troubles here, and they are not few. The Whig party is in the greatest peril and distraction,—no mistake. I am no alarmist, but a close observer of the times. There is a restless state of things in the Whig ranks which amounts almost to delirium. D—— has behaved outrageously; he has offered a resolution in the Senate nominating General Taylor for the Presidency. He promised not to do so, but it is done. This increases the distraction. The Senate will no doubt give it the go-by. It is unfortunate and inexpedient in every point of view. What is greatly needed is information from Washington. One word more: Dixon came to my house last night and said he had no doubt about his nomination, but he had doubts as to his election. He then proposed that I should request *you* to run. I refused. He said he believed he would write to you to that effect; said he had proposed to Graves that they should both *stand back*, which Graves refused. My object in telling you this is to afford you a chance in case he does write, to reply in such a way as your better judgment may dictate.

Hon. JOHN J. CRITTENDEN.

Your friend,  
R. P. LETCHER.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, May 10, 1844.

DEAR CRITTENDEN,—I have read your letter of the 4th with uncommon pleasure. *Yes*, I think the whole affair is now pretty well settled. Indeed, I never had any hesitation in believing most confidently that the second edition of the campaign of '40 would come out in '44 embellished and improved. You had a grand affair at the Convention in Baltimore, probably the most imposing spectacle that has ever been witnessed in America, and it is destined to have a great effect throughout the country. I am glad the *old Prince* is behaving handsomely in his travels and in his general deportment. The Van Buren party are really to be pitied; they change their man every day. Commodore Stewart, I understand, is their candidate *to-day*; to-morrow they will have another. Oh, how awfully they curse Benton! "Traitor, villain, rascal," are words of common use in connection with his name. Guthrie is sitting here reading a newspaper. I am too much of a gentleman to introduce a disagreeable topic of conversation, but I should like to hear him say a word or two about Texas and Van Buren. Well, let Charley W. *walk the plank*. I want to see him out of office; think he well deserves his fate if Tyler puts his foot on him.

The town is filled with lawyers, and the Whigs are the happiest rascals you ever saw. You might hear Jake Swigert laugh at least a half a mile.

Hon. J. J. CRITTENDEN.

Your friend,  
R. P. LETCHER.

(James Buchanan to R. P. Letcher.)

LANCASTER, July 27, 1844.

MY DEAR SIR,—I have received your favor of the 19th, and am rejoiced to learn that your distinguished friend has probably thought better of the publication. You have ever been a sagacious man, and doubtless think that James K. Polk is not quite so strong an antagonist as Andrew Jackson, and therefore that it would not be very wise to drop the former and make up an issue with the latter. If this had been done, it would not be difficult to predict the result, at least in Pennsylvania. The affair has worried me much, and yet I have been as innocent as a sucking dove of any improper intentions. First, to have been called on by Jackson as his witness against Clay, and then to be vouched as Clay's witness against Jackson, when, before Heaven, I can say nothing against either, is a little too much to bear patiently. I have got myself into the scrape from the desire I often expressed and never concealed, that Jackson, first of all things, might be elected by the House, and next that *Clay* might be his Secretary of State. It was a most unfortunate day for the country, Mr. Clay, and all of us, when Mr. Clay accepted the office of Secretary of State. To be sure, there was nothing criminal in it, but it was worse, as Talleyrand would have said, "it was a blunder." Had it not been for *that*, he would, in all probability, now have been in retirement, after having been President for eight years, and friends, like *you* and *I* (who ought to have stood together through life), would not have been separated; but, as the hymn says, I trust "there's a better time coming." You ask, Has Polk any chance to carry Pennsylvania? I think he has. Pennsylvania is Democratic by at least 20,000, and there is no population more steady on the face of the earth. Under all the excitements of 1840 and Mr. Van Buren's want of popularity, we were beaten but 343, and since we have carried our State elections by large majorities.

Muhlenburg, candidate for governor, is a fast horse, and will be elected; this will exercise much influence on the presidential election. But your people are in high hopes, and after my mistake in 1840, I will not prophesy. I was ignorant of the fact that any portion of the Democratic party were playing the part of Actæon's dogs towards me. I stood in no man's way. After my withdrawal, I never thought of the Presidency, and

the few scattering votes I received in Baltimore were given against my express instructions. The very last thing I desired was to be the candidate. If they wish to *hunt me* down for any thing, it must be because I have refused to join in the *hue and cry* against Benton, who has been, for many years, the *sword* and *shield* of the Democracy. I differed from him on the Texas question, but I believe him to be a better man than most of his assailants, and I hope he will be elected to the Senate. I have delayed the publication of my Texas speech, to prevent its use against him in the Missouri election. It is not according to my taste or sense of propriety for a senator *to take the stump*, but I owe Muhlenburg much, and, if he should request it, I could not *well refuse*. I shall never say (as I never have said) anything which could give the most fastidious friend of Mr. Clay just cause of offense. As I grow older, I look back with mournful pleasure to the days of "Auld Lang Syne." There was far more *heart*, and *soul*, and *fun*, in our social intercourse *then* than in these degenerate days, but perhaps to think so is an evidence of approaching age. Poor Governor Kent! I was forcibly reminded of him a few days ago, when, at the funeral of a friend, I examined his son's grave-stone. To keep it in repair has been for me a matter of pious duty. I loved his father to the last. But away with melancholy. I have better wine than any man between this and Frankfort, and no man would hail you with a heartier welcome. When shall we meet again?

Ever your sincere friend,

To R. P. LETCHER.

JAMES BUCHANAN.

(J. J. Crittenden to Henry Clay.)

FRANKFORT, November 13, 1844.

MY DEAR SIR,—The intelligence brought to us this morning has terminated all our hopes, our suspense, and our anxieties, in respect to the presidential election. We now know the worst. Polk is elected, and your friends have sustained the heaviest blow that could have befallen them. You will, I trust, feel no other concern about it than that which naturally arises from your sympathy with them. You are, perhaps, the only man in the nation who can lose nothing by the result. Success could have added nothing to your name, and nothing I believe to your happiness. You occupy now, but too truly, the position described as presenting the noblest of human spectacles,—

"A great man struggling with the storms of fate,  
And nobly falling with a falling State."

Business in the Federal court now hastens my departure. I will try to carry with me a heart as light as possible, but deeply



impressed with the difficulties which *overhang* the country. It seems that we can only learn wisdom by suffering ruin, and I am tempted to leave the Polkites to dispose of the tariff among themselves. The people have preferred Mr. Polk, and are entitled to the benefit of his measures.

Very respectfully, your friend,

Hon. H. CLAY.

J. J. CRITTENDEN.

(Henry Clay to J. J. Crittenden.)

ASHLAND, November 28, 1844.

MY DEAR SIR,—I received your very kind letter written just before your departure for Washington. It is hardly necessary to say that I deeply sympathize with you, in consequence of the most unexpected and disastrous results of the presidential election. As to myself, it is of but little importance. But I deplore it on account of the country and of our friends. I had cherished the fond hope of being an humble instrument, in the hands of Providence, to check the downward tendency of our government, and to contribute to restore it to its former purity. I had also hoped to be able to render some justice to our enlightened and patriotic friends, who have been so long and so cruelly persecuted and proscribed. But these hopes have vanished, and it is useless and unavailing to lament the irrevocable event.

It will be more profitable to seek to discern the means by which the country may be saved from the impending dangers. I regret that they are not visible to me; still, it is our duty to the last to struggle for its interest, its honor, and its glory. And it is in that spirit that I venture to offer a few suggestions. It seems to me that the Whigs, or some of them, in Congress, would do well to have an early consultation, and to adopt some system of future action. We, I think, should adhere to our principles; for, believing in their wisdom and rectitude, it is impossible that we can abandon them. The recent election demonstrates that, although the Whigs are in the minority, it is a large minority, embracing a large portion of the virtue, wealth, intelligence, and patriotism of the country. That minority constitutes a vast power which, acting in concert, and with prudence and wisdom, may yet save the country. Then, there are the errors which we confidently fear and believe our opponents will commit in the course of their administration, an exposure of which must open the eyes of the people and add to the Whig strength. In your letter, you intimated an inclination to leave the dominant party free to carry out their principles undisturbed by the Whigs. I confess I am inclined to agree with you in that opinion; for, unless there is a partial operation and experience of the opposite systems of the two parties, I do not

see how the country will ever settle down in a stable and permanent policy. As a general rule, I think that the dominant party ought to be allowed to carry out their measures, without any other opposition than that of fully exposing their evil tendency to the people, if they have such a tendency. Of course, I do not mean that members should vote contrary to their conscientious convictions, or to the will of their constituents; but I suppose that there are members, in both branches of Congress, who can vote in conformity with the will of their constituents without violating their own convictions, and thus leave the other party at liberty to establish its own policy. If that party should attempt to embody, in a tariff, just enough of protection on the one hand, and of free trade on the other, to secure its ascendancy and farther to deceive and mislead the people, such partial legislation ought to encounter the most determined opposition. That is the course, I confess, which I most apprehend they will pursue. They will give protection where it is necessary to the preservation of their power, and they will deny it to States with whose support they can dispense.

There is a great tendency among the Whigs to unfurl the banner of the Native American party. Whilst I own I have great sympathy with that party, I do not perceive the wisdom, at present, either of the Whigs absorbing it, or being absorbed by it. If either of those contingencies were to happen, our adversaries would charge that it was the same old party, with a new name, or with a new article added to its creed. In the mean time they would retain all the foreign vote, which they have consolidated; make constant further accessions, and perhaps regain their members who have joined the Native American party. I am disposed to think that it is best for each party, the Whigs and the Natives, to retain their respective organizations distinct from each other, and to cultivate friendly relations together. If petitions be presented to alter the naturalization laws, they ought to be received and respectfully dealt with. There can be no doubt of the greatness of the evil of this constant manufacture of American citizens out of foreign emigrants, many of whom are incapable of justly appreciating the duties incident to the new character which they assume. Some day or other this evil will doubtless be corrected. But is this country ripe for the correction? and will not a premature effort, instead of weakening, add strength to the evil?

I perceive, in several quarters, a wish expressed that I should return to the Senate. I desire to say to you that I have not the remotest thought of doing so, even if a vacancy existed. I can hardly conceive of a state of things in which I should be tempted to return to Congress. My anxious desire is to remain during

the remnant of my days in peace and retirement! Do me the favor to present me affectionately to all our friends in the Senate, and particularly to Messrs. Berrien, Bayard, and Rives, from whom I have received very friendly letters. I may write to them, perhaps, on some other occasion.

I remain faithfully your friend, and obedient servant,  
H. CLAY.

Hon. J. J. CRITTENDEN.

(Thomas Corwin to J. J. Crittenden.)

LEBANON, November 15, 1844.

DEAR CRITTENDEN,—I have scarcely courage to address a line to a friend, but feel so disconsolate that I must inquire how the result of this election is received in Kentucky.

Much as I have distrusted public judgment on the merits of *great men*, yet I could not believe this last sin against the honest reason of man would be *actually* committed.

How does Mr. Clay bear himself under this last exhibition of ingratitude? Is truth, indeed, omnipotent? Is public justice certain? Is it only at the *grave* of a truly *great man* that the world opens its eyes to his real worth?

What is to happen? What will the charlatans do next? Will they repeal the tariff, and wage war on Mexico? or will they *pretend* to do this,—make a hypocritical effort and drop it, and complain that a Whig Senate or a Whig party prevented them?

Will they kick Calhoun out, and *then* in two years more make another bargain with him, and then deceive him for the *fifth* time? Pray tell me what we are to look for? I see it is said Van Buren is coming to the Senate. Will Mr. Clay decline all public concern?

Do let me hear about these things.

J. J. CRITTENDEN.

Your friend,  
THOS. CORWIN.

(Henry Clay to J. J. Crittenden.)

ASHLAND, January 9, 1845.

MY DEAR SIR,—I received your favor of the 3d, and transmit inclosed a letter to Judge Story. I am not surprised at his disgust with his service on the bench of the Supreme Court. Among the causes of regret, on account of our recent defeat, scarcely any is greater than that which arises out of the consequence that the Whigs cannot fill the two vacancies in the Supreme Court. I see that they have *got up* Texas in the House, and I anticipate that some scheme of annexation will

be *cooked up* there. Whatever fate may attend it in the Senate, I think that the resolution of our friends in this body to leave it to Mr. Polk is correct. Among my fears, one is, that it will, if annexed, disturb the territorial balance of the Union, and lead to its dissolution. Letcher, of whose silence you complain, bears badly our recent defeat. Time, the great physician, may heal his wounds. I sometimes have occasion to use another's superscription, and wish you would send me some half a dozen of franked envelopes.

Yours faithfully,  
H. CLAY.

## CHAPTER XVIII.

1845-1846.

Admission of Texas—Oregon—Letter to his Wife—Discussion in the Senate with Allen—Letter of B. W. Leigh.

MR. CRITTENDEN said: I rise to address the Senate with an embarrassment which I seldom feel in addressing that body. The subject under discussion is one of immense magnitude, not only involving the question of the extension of this Union but that of the preservation and duration of the great charter, the *Constitution*, upon which this confederation rests. I could have forborne the expression of my opinions had it not appeared important to other senators to make known their views. I am not willing to let my silence be attributed to any backwardness to avow my sentiments openly.

Mr. Crittenden then stated the principles of the joint resolution under consideration, and instituted an inquiry into the grand powers of the Constitution upon which the action of Congress was now invoked. He proposed first to examine the arguments upon which it was assumed that the power granted in the fourth article of the Constitution extended to the admission of States, erected out of foreign territory or foreign States already formed. In pursuing this examination, he should confine gentlemen who designated themselves par excellence strict constructionists to their own doctrine. He quoted the provision of the fourth article that new States may be admitted by the Congress into this Union, and commented upon the construction which alone should be the guide of legislation, and asked *how* could the express grant be applied as the friends of annexation applied it without opening it up to such a latitudinous construction as would be wholly at war with the nature of the instrument in which it is found and the natural inference of the intention of the framers of the Constitution. Can it be imagined by any candid and dispassionate mind,—a mind divested

of predilections to arrive at a foregone conclusion,—that if it had been contemplated by the framers of that instrument to authorize the admission of foreign States or foreign territory by act of legislation, they would have left such a vast and important power indefinite and hidden in mysterious expressions, wholly dependent upon construction and interpolation? To suppose this is to suppose what is contrary to all reason. Was it to be believed that the wise, jealous, and cautious men who weighed and deliberated upon the grants of power so long and so carefully would, if they intended that foreign States and foreign territory should be admitted by Congress at its discretion, have forborne the expression of their intention in clear and explicit terms which could not be misunderstood?

Mr. Crittenden reviewed at considerable length the arguments urged throughout this debate by the friends of annexation, commenting on each and dissenting from all, and in many instances insisting that gentlemen had wholly misapprehended the authorities upon which they relied. He did not intend to undertake the task of defining the exact line of demarkation between the legislative and treaty-making power; he agreed with the senator from Alabama, Mr. Bagby, "that there is a line." It would be sufficient for him to show that the acquisition of territory was confined exclusively to the treaty-making power. He quoted Justice Story's definition of the power to make treaties. It might be that some part or portions of the subjects enumerated by Justice Story may be regulated by law. Justice Story says the treaty-making power embraces the power of treating for peace or war, regulations of commerce or for territory. Did not, then, the treaty-making power embrace the case of acquiring territory? Mr. C. directed much of his review to the remarks of the senator from South Carolina, Mr. McDuffie. He quoted largely from the *Federalist* and authorities for the purpose of establishing his position that the power to admit new States into the Union was confined exclusively to the admission of States arising out of the bosom of the old thirteen States and territory in the neighborhood—the *neighborhood* meaning the territory belonging to the States, but out of the limit of the State confines. He next touched upon the limits of the treaty-making power, with a view of showing that,

from their very nature and their possible effects upon our foreign relations, the power was lodged where it ought to be lodged, in the executive and the Senate; and he argued that the experience of the government before the adoption of the Constitution had proved the inconvenience and impropriety of exercising the power of Congress. He denied the position assumed by the senator from South Carolina that Congress has the power to declare war and make peace. *Where* was the power of making peace given to Congress by the Constitution? Would the senator tell him how Congress could make peace?

Mr. McDuffie.—Yes, sir, by disbanding the army and navy.

Mr. Crittenden.—That would not stop the war.

Mr. McDuffie.—He did not presume the executive and Senate would undertake to carry on the war after Congress disbanded the army and navy.

Mr. Crittenden.—No, sir; but that would be a very good time for the enemy to carry on the war. [Great laughter.]

In the course of Mr. Crittenden's remarks, he referred to Mr. Jefferson's opinions concerning the power of acquiring territory. He maintained that if it can be acquired by this government, it must be exclusively through the treaty-making power. It was admitted by the senator from South Carolina that territory might be properly acquired by treaty; but it was denied by him that the acquisition of it belonged exclusively to the treaty-making power. Now he (Mr. Crittenden) held that if foreign territory can be properly acquired by the treaty-making power, it is exclusively by that power and that alone in this government that it can be acquired. He admonished the Senate to *hold fast* to the Union *as it is*,—not to attempt expanding its territory,—not to risk anything by hazardous experiments. He denounced the idea of grounding any course of policy upon apprehensions of the grasping power of England. He feared nothing from England or any other power: his fears were of the destruction of our own constitution and institutions by novel and dangerous experiments. His objections to the annexation of Texas were founded upon public considerations; some of these were passing away,—they may yet be wholly removed. He feared at present this measure would disturb our foreign relations. It seemed to him unwise to act upon it now,—the peo-

ple have not had an opportunity of expressing their will upon the subject at the ballot-box. The question was started for purposes of the presidential election since the people last appointed their representatives. Let the matter be postponed till the people can speak,—let its consummation be reserved for the incoming administration. To do this in an offensive way, at an improper time, and by unconstitutional means can excite nothing but hostility to the whole movement and its authors. This was a measure of the most vital importance to the country. Be patient and be just, and all may be well. The hand that grasps ambitiously, dishonestly, or unlawfully at the plunder of others, particularly when they are in a defenseless condition, is sure to be festered with the leprosy of dishonor and disgrace.

The question being taken on the motion of Mr. Berrien, Mr. Crittenden rose and said :

I wish to make a few remarks, and will not detain the Senate five minutes. According to the arguments which gentlemen on the other side had urged here, Congress has the power to admit new States into the Union, acquiring thereby not only the people, but the territory which they occupy. It is said that under the provision to admit new States Congress can admit foreign States ; and if the argument of the gentleman from Mississippi (Mr. Henderson) is correct, this power has been exercised in several instances, and North Carolina and Rhode Island were foreign States, admitted by the same power that could admit Texas or Mexico. The gentleman had traced the history of their admission, and the Senate had learned from him that no law was passed for their admission,—that they merely signified their approbation of our Constitution, elected senators and representatives, who appeared in Congress and took their seats ; and from that time these States acted as portions of our Union. The argument from this was, that we may do the same thing in regard to Texas. Now, I call upon the gentleman to say of what manner of use is all this legislation upon this subject. Let Texas make a republican constitution ; let her appoint senators and representatives, and she has a right to come into this Union and participate in our legislation and all the affairs of the government. This is the argument of the gentleman from Mississippi : " North Carolina was a foreign State ; Rhode Island was a foreign State ; Texas cannot be *more* than a foreign State." This was the inference : let Texas do just exactly as they did, and the work is complete. The syllogism is perfect, according to the rules of logic. The whole fallacy



consists in the utter groundlessness of the fact that these two States, North Carolina and Rhode Island, *were* foreign States. Let Texas read our history and the history of North Carolina and Rhode Island, and follow in their footsteps, and their senators and representatives may come here and take their seats by our sides. There was no occasion for her to ask for any law upon the subject,—none at all. “North Carolina and Rhode Island were foreign States; Texas is a foreign State;” and all that is necessary for her to do, according to the honorable senator, is to appoint her senators and representatives and come at once! He who could imagine that North Carolina and Rhode Island were *foreign States*, might easily imagine, if his *imagination* was true to itself, that Texas was a domestic State. To him legislation did not appear at all necessary; it would be derogatory to the rights of Texas, California, or any other State that had nothing to do but to send her senators and representatives here and become forthwith a member of the Union.

In the Senate, on 16th of December, 1845, the subject of advising the President to give immediate notice to Great Britain of the termination of the joint occupancy of Oregon Territory was under discussion. Mr. Crittenden saw no objection to the resolutions themselves, but he did not share in the apprehensions of the senator from Michigan, Mr. Cass, as to a *war*. The honorable senator, Mr. Cass, makes his inference as to war contingent upon the happening of other events,—upon the concurrence of other circumstances; his conclusion to be complete requires other facts, such as that Great Britain will at the end of the year take hostile possession of the whole of Oregon. Mr. Crittenden thought it might be fairly inferred that such a course would lead to war; and if Mr. Cass desired to make out a somewhat stronger case, let him suppose that Great Britain should land her forces and take possession of the city of Charleston, or Norfolk, or Baltimore. The meaning of the senator seemed to be that war would inevitably take place, *provided grounds* for war were hereafter supplied. Mr. Crittenden thought the diplomacy and wisdom of the country could certainly settle the boundary of a distant strip of territory without the shedding of blood; it was no question of honor or national character. If we are to give the notice, let us give it to take effect *two years* hence. Let us not, like a spiteful landlord, limit our tenant to the shortest possible time, but give

opportunity for reflection and negotiation. An insult between two high-spirited nations is a grave matter. This is a diplomatic question between the proper departments of this government and Great Britain. Theirs is the proper responsibility, and not one jot of that responsibility was he willing to abate. Of all the interests of the country *peace* was the mightiest. No fanaticism in politics must be suffered to guide the councils of a great nation upon so solemn a question, no little pouting, fretting, and strutting upon the stage; we have no necessity to go to war to make a character; we have a character to which we have a genealogical and historical title. It is the grand characteristic of a great nation that it vaunts not, boasts not of its power. Mr. Crittenden expressed great regret at the rejection of the proposition for arbitration. He did not know upon what right we exalted ourselves above all laws heretofore recognized amongst nations, and say that our territorial questions were to be placed above all arbitration. We had no ground upon which to base this mighty prerogative. The world has adopted a great code of pacification and acted upon it from the beginning. The choice of an *arbiter* is important. The administration may have good reason for rejecting the arbitration of crowned heads; but, thank God, they are not the wisest and best heads. What a glorious homage would this republic render to its own best principles by accepting the arbitration of a tribunal composed of men distinguished only for their talents, knowledge, and worth! This would tend to the elevation of the age. How majestic this spectacle to proceed from the hands of this free government! It would be worth more to us than all Oregon, if every inch had been awarded to us.

Mr. Crittenden regretted that this question had not been allowed to slumber; it would gradually have been settled by emigrants from the United States. It had been made the subject of party action and party declamation introduced in the Baltimore Convention by gentlemen met together for a party object. This is a mere question of property. Let us not be driven to war for a strip of territory. The child has seen the light who will behold one hundred millions of freemen in this land. *That* sought to be achieved to-day by arms will be ours to-morrow by natural inheritance. *We* are the great first-born

of the continent. I smile with contempt at all the petty schemes of European ambition and Mr. Guizot's balance of power in our land. You have all no doubt heard of a memoir prepared and presented to the King of Prussia in which the author described the country, the bays, and rivers, and mountains, and stated that nature had raised a barrier against the dangerous usurpations of the American people by establishing on their borders the powerful tribe of Cherokee Indians, who would always keep them in check; nevertheless, the author thought the Americans in their wild ambition might seek to cross the Mississippi. Mark how our progress has outstripped the comprehensive views of this writer. Why show such eagerness of acquisition? Why pluck green fruit which to-morrow will fall ripe into our hands? Let us violate no right, and preserve our sacred Union, and all the rest is certain. From our lineage is to descend a race wielding a sceptre of imperial power such as the hand of emperors never grasped. I cannot doubt but that the President will do right. In my judgment, there is in the office of President a means of purification by which a man, whatever the medium of his elevation, becomes a new moral being. Providence has made him a leader in a part of that great march we are performing with giant steps.

(J. J. Crittenden to his wife Maria.)

SENATE, December 29, 1845.

MY DEAR WIFE,—I have received your letter giving me the agreeable intelligence that you are well. How happy I should have been to have been with you at your Christmas dinner.

My Christmas was a different one, a joyless and heartless one. Mrs. Webster has not been here this winter. Mr. Webster has gone for her, and we may expect her at the close of the holidays. I shall spend my New Year's day at Baltimore, being invited to attend Miss Johnson's wedding on that day.

At the late dinner at the President's, the lady Presidentess was the brightest object of the party. She of course occupied her place at the table, and I must say performed her part well and gracefully. I, at least, ought not to complain, for to me she was most polite.

I can't tell you how I long to see you. You are much inquired for here, and many wish to see you.

My love to all.

Your husband,

J. J. CRITTENDEN.

(General Scott to J. J. Crittenden.)

OFFICE, Saturday, February 14, 1846.

MY DEAR SIR,—Holding you to be duly indented to me,—that is, shipped and enlisted,—I send my orderly (a regular sergeant) with precise directions to move you up to my garrison this day, bag and baggage, without let or hinderance. Against him, a young veteran of three campaigns in Florida, what can you do, a mere civilian? No more than Sir Henry Vane and his mace-bearer against old Noll and his grenadiers. It is evident that you labor under some infirmity of purpose, some "*vis inertia*," which must be overcome by martial law—a touch of the second section *à la* Jackson, and the times stand in need of a wholesome example. It is for me to give it, and for you to submit. Therefore and wherefore, sir, I know you are to dine to-day with Corcoran (and so am I); you may as well then let the orderly get you a hack and store away in it trunk, books, and papers. He will take good care of all and deposit them in your new lodgings, where they will be safe, and *you too*. Backed as you are by that old veteran of the last war, it is possible that he may attempt a rescue. In that case I beg to admonish him that I will send down another detachment and move him up also; but if he (Cousin Vance) behaves well, and you come along, as you must, why, you may see him in your prison with your other friends,—not, however, oftener than six days in the week, nor more *than* six hours at a time. Such are the jail limits.

Yours according to behavior,

WINFIELD SCOTT.

Hon. J. J. CRITTENDEN.

(J. J. Crittenden to R. P. Letcher.)

WASHINGTON, March 9, 1846.

DEAR LETCHER,—I have received yours of the 27th of the last month, and upon my word I read it through and through, little as you seem to have expected such a grace. I am truly sorry to hear that Orlando's health and habits are so bad as you describe them; I think it is all due to my absence and the want of my good example. Your house was a bad house for drinking before I left home, and it is quite natural to infer that it has become worse since the restraints of my presence have been withdrawn. I will still hope I may be home in time to prevent fatal consequences, and before all your brandy is gone!

Well, well, your good luck does a little surprise me. What a *winning young man* you must be to convert Messrs. M. and G. into warm friends! Your solution of it is no doubt true. Har-

din kept you, and you are indebted to him for these new friends. I should not wonder to hear next that Hardin and yourself are close confederates and friends, and that he is warmly for you in order to defeat the supposed hostility of M. and G. This is a rather prettier game than "*ride and tye*." Scott does seem to me to be happy. His prospects of the Presidency look bright to him; *that* makes him happy. Like the consumption, this ambition for the Presidency may be called a *flattering disease*. I believe I told you before that all you read or heard of nomination or recommendation of him as the Whig candidate at caucuses or dinner-parties was altogether unfounded,—the mere flummery and invention of letter-writers. But it is true that he rather seems to bear the palm here, and there is a more extensive *looking* to him than to any other. *As a party*, the Whigs stand uncommitted, and determined to avail themselves of the best selection that can be made when the time comes. We all think that if we are wise we can succeed in the next presidential election. Bitter dissensions are already manifested among our opponents; they are about equally divided in the Senate. They quarrel about what the President's sentiments and purposes are in relation to Oregon,—each interprets the "*oracle*" to suit himself, and each pretends to speak for him, while all are suspicious and jealous of him and of each other. They know that one side or the other is cheated and to be cheated, but they can't yet exactly tell which. In the mean time they curse Polk hypothetically. If he don't settle and make peace at forty-nine or some other parallel of compromise, the one side curses him; and if he yields an inch or stops a hair's breadth short of fifty-four degrees forty minutes, the other side damns him without redemption. Was ever a gentleman in such a fix? He might almost say like Satan, that "hell was around him." What a pity he hadn't such a friend as you to smooth down all his troubles and convert a few of these imprecators and swearers into friends! The Whigs, *poor* chastened race, are so far very quiet in the midst of the uproar,—they "*look innocent*," and say nothing. What can the poor creatures do but mourn over such troubles! But all this is not enough; our friend Buck not only comes in for his share of these common troubles, but has his own *particular* grief besides. He is for all Oregon,—he would not yield an inch "for life or death," and he is quite careful to *have* it told and known that he stands fixed on the *north pole*, right at the point of fifty-four forty. There may be some discretion in their valor. The hardest swearers are for fifty-four forty,—and he thinks, perhaps, by taking the same position he may escape more *curses* than in any other way. But what comes next? Why, he is charged with wishing to have a war in order to save

the tariff for Pennsylvania and defeat his colleague, Mr. Walker, depriving him of all the glory of his free-trade bill lately submitted to Congress. If war comes, all know we can't think of reducing the tariff. Thus you see this unhappy dissension has penetrated even into the sanctuary of the cabinet, and may eventually drive Buck out of that *political paradise*. It being understood and agreed here that Walker is the ruling spirit in that council, I expect Buck is nearly ready to exclaim, "all is vanity and vexation of spirit." Scott already knows of the funeral eulogy you have prepared for him in case of his death, and I shall also inform him of the instructions you are preparing in case he should live to be a candidate, so that he may feel easy in the assurance that whether he *lives or dies* you will provide for him.

R. P. LETCHER,  
Governor.

Your friend,  
J. J. CRITTENDEN.

(W. C. Rives to J. J. Crittenden.)

CASTLE HILL, March 9, 1846.

MY DEAR SIR,—I have seen with the greatest pleasure the lofty and courageous patriotism with which, in the spirit of peace, you have not feared to treat the question of Oregon from the moment of its warlike introduction by Colonel Polk. Your last speech on the subject has just reached us. I should do great violence to my feelings if I were not to tell you with what sincere gratification I have read it. Your bold declaration for peace, as the highest interest of the nation, will find a hearty response in the bosoms of nineteen-twentieths of the people. I can hardly conceive of such a hallucination as seems to have come over the dreams of some of our "grave and reverend seigniors," who, by their daily harangues, are seeking to *prepare the hearts* of the people, *as they tell us*, for war. One would suppose that when things had come to such an extremity as can alone justify the *ultima ratio*, the hearts of a brave and intelligent people would require no preparing for war by *the arts of oratory*. What is to become of all this singular and complex manœuvring of our modern Machiavel at the head of the government? It seems to me hard to foresee. But that they have gotten themselves into a narrow defile, between warring sections of their own party, with the solid phalanx of the public judgment arrayed against them,—a position from which no art can rescue them, retreat or advance being alike impossible or fatal,—admits, I think, of no question. Foreseeing that our friends in the Senate, from their high official position, would naturally feel themselves restrained in the expression of any unfavorable *judgment* on our

boasted title to the whole of Oregon, I thought I would venture to say a word or two to suggest for consideration some doubts respecting the infallibility of our friend Buchanan's dialectics upon the old Spanish title. This question of right, by-the-by, though a very delicate one to discuss, lies at the bottom of the whole subject with the people. If they can believe our right *clear*, they will maintain it all *hazards*. I am not surprised that Mr. Polk is beginning to realize, at the hands of his own party, some of the consequences of his folly and duplicity in attempting to combine the braggadocio of speculation with the intended surrender of national claims. I hope you will so manage the subject in the Senate as to leave him exposed to all the inconveniences of his own position, while you do everything that is practicable to preserve the peace of the country. At all times, and very truly and faithfully

Hon. J. J. CRITTENDEN.

Your friend,  
W. C. RIVES.

In the Senate, on the 10th of April, 1846, Senator Allen, of Ohio, chairman of the Committee of Foreign Relations, made a violent speech on the subject of an amendment he had offered to a resolution of Mr. Johnson, of Maryland, on "giving notice to Great Britain." Mr. Allen lectured the Senate for not having passed the House resolutions, thought they should have yielded to the moral influence of the almost unanimous vote of the House; he charged the Senate with forgetting the interests of the country, and their own dignity, etc.

Mr. Crittenden's reply was masterly. The speech will be published entire in another volume, but I will give some extracts from it now, and also some letters, in relation to it, received at that time by him.

Mr. Crittenden.—I cannot suffer such imputations against the character and action of the Senate to pass unnoticed. What is the honorable gentleman's commission? Who authorizes him to assume here the air and tone of pre-eminence which so strongly marks his language when addressing the Senate? "Upon what meat doth this our Cæsar feed, that he hath grown so great?" Is it this petty office of chairman of the committee which warrants him in putting on these airs of authority, in assuming this predominance, and lecturing us as to our official duty? The Senate has just adopted a resolution, proposed to it by the senator from Maryland, Mr. Johnson, and the gentleman from Ohio characterizes it as a miserable, feeble, pattering,

contracted, abject resolution. Let me tell the gentleman he does not know this body, or the material of which it is composed. There is another and more difficult lesson, which, I fear, the senator has got to learn, that is, to know himself. I can tell the senator that the majority of the Senate and the humble individual who now addresses it, are as little moved by the dread of any responsibility, except that of doing wrong, as even the chairman of the Committee on Foreign Relations. If the force of the gentleman's argument was to be measured by the extent and vigor of his manipulations, it would indeed be difficult to answer him. I will not stand here to be rebuked, or to hear the Senate schooled or called to account by any such authority. The gentleman undertakes to make himself the advocate and defender of the House of Representatives. Who or what is the House of Representatives of the United States, that it stands in need of such an advocate?

The gentleman's advocacy of one of the Houses of Congress is equally an act of supererogation (shall I say of assumption?) with his rebuke of the other. The gentleman tells us of the majority by which a certain resolution has passed another body, and brings that as an argument to govern and control us in our independent action. When before did any member of this body tell us we were to be controlled by such majorities? The gentleman informs us the "President will hide behind no bush." What does he mean? Is his remark of that innocent kind of rhetoric which means nothing? He calls upon us for *unanimity*. Was the like ever heard? A gentleman in a small minority calling upon us continually for unanimity! Could the gentleman's comprehensive ingenuity point out no other mode of arriving at unanimity? Suppose the gentleman should pack up, with all his dignities of chairman of the committee, and go over to the majority? That would be some approach to unanimity; but no, we must come to him as the great standard-bearer, beneath whose banner alone all national unanimity is to be found. Really, sir, I had supposed it to be possible that a man might have as much patriotism and as much bravery as even the senator himself, and not rally under that standard. The gentleman seems to think he has an unanswerable claim to invoke our unanimity because, as he tells us, for many long years he himself on a great public measure stood *solitary and alone*. He was then, I imagine, not quite so ardent in favor of unanimity. But mark it, sir, such was the effect, such the influence of that magnanimous example, that now the Senate and all mankind have come to rally round the gentleman from Ohio. True, he says it took five years to accomplish this. Now, sir, will not the gentleman have mag-



nanimity enough to allow us five years to resign our principles and convictions, and adopt his,—or does he demand instant submission, and is this his new doctrine of unanimity? The gentleman now tells us that he will vote against all resolutions; as we have not adopted his amendment, he goes against the whole. Well, sir, be it so; the gentleman's course may be a cause of great regret, he may consult his personal dignity by standing alone another five years and waiting in solitary grandeur till the Senate and House shall congregate around him—*Achilles in his tent!* Yes, sir, Achilles in his tent! I recommend the lesson to which I once before referred, "*Know thyself.*" It is the wisest lesson any man can learn. Mr. President, I have no pleasure in this sort of animadversion, but I cannot and will not sit here and allow such language and see such airs of superiority and arrogance without making a reply.

(B. W. Leigh to J. J. Crittenden.)

RICHMOND, April 13, 1846.

MY DEAR SIR,—I am obliged to you for your letter of the 10th. I shall take care that its contents shall be made known to Mr. R. C. Wickham, whom I am sure they will highly gratify. I have seen the account in the newspapers of Mr. Webster's invective against Mr. Ingersoll, and of the course which Mr. Ingersoll has thought proper to take in consequence of it, or rather to revenge it, and the conduct of both has given me great pain, and that of the latter unspeakable surprise. I lament Mr. W.'s remarks, because they appear to me unsuitable to the dignity of Mr. W. and to that of the Senate, and altogether unnecessary to his own vindication, calculated to lower him and the Senate too in the opinion of the world, especially of the European world, where they will no doubt be reported. Not fit to be employed by such a man as Mr. W. against so weak an assault as Mr. I.'s really was. Why could not Mr. W., considering the charge against himself as repeated by Mr. Dickinson, on the authority of Mr. Ingersoll, have contented himself with saying, that on whose authority soever the charge was made, the facts on which it were grounded were a mere fabrication? I do not think the coarse abuse he heaps on the fabrication tends in the slightest degree to strengthen his vindication, and surely the floor of the Senate is not the proper place for the indulgence of such a temper as dictated Mr. W.'s remarks. I can only account for them upon the supposition that Mr. W. was informed of imputations made upon him by Mr. I. in conversation, similar to those he has since made in the House of Representatives. But what is to be thought of Mr. I.'s retaliation? To gratify his revenge, he goes to the

Secretary's office, inspects the papers relative to the application of the secret service fund, finds, *as he thinks*, matter to impeach the integrity of a former Secretary of State, and calls for the exhibition of the evidence. Mr. W.'s friends could not object without giving color to this charge; yet I am utterly amazed that his enemies in the House should consent to this call, that they should require an account of the expenditure of money which they appropriated for the very purpose of being expended without any account of the purposes to which it was applied. There is no longer a secret service fund! The call which has been made amounts in effect to *this*, and nothing more or less. Can the House think that it has a right to object to an improvident or even a wasteful use of the secret service fund, assuming that there has been such an expenditure, and that the present Secretary or the President of the party in power may use their offices to attack a former administration, or that there ought to be no such thing as a secret service fund? I dare say I think as ill of the late President Tyler as any reasonable man ought to think, but I should as soon suspect him of robbing a church of the plate belonging to its altars, as of embezzling or of being party to a corrupt use of the secret service fund. I do not suspect that there is the least possibility of truth in Mr. Ingersoll's charges; and that the House should lend its aid to the gratification of his revenge, so far as it has done in making this call, seems to me to justify the apprehension that it will go the length of giving its sanction to these monstrous charges. I fear Mr. W. is in great danger; he must depend upon the judgment of a furious and reckless party for acquittal from an accusation which assails his integrity and his honor as a man and a statesman. I infer from Mr. Ingersoll's speech that he has had the inspection of the papers in the Secretary's office relating to the expenditure of the secret service fund. Has Mr. Buchanan opened them to his inspection? If he has, what is to be thought of Mr. B.? Has he done so with the privity and by consent of the President? If so, what is to be thought of Mr. Polk? I cannot conceive of a greater crime! I wish you would tell me *how* the points are. I shall, for the country's sake, be rejoiced to see that he has got his information without the aid or connivance of the executive officers. I am grieved to see the resolution offered by Mr. Ingersoll to the Senate. His object is to get the means of *defending* the innocent. The end does not justify the means.

Your friend,

B. W. LEIGH.

## CHAPTER XIX.

1846.

President's Message—Mexican War—Letters of Crittenden, Letcher, Scott, A. Butler—Duties on Imports—Bill for an Independent Constitutional Sub-treasury—Letter from General Scott to W. L. Marcy—The Secretary's Reply—Letter of General Taylor to Mr. Crittenden, written at Camargo, September 15, 1846—General Scott to Mr. Crittenden—General Scott to General Taylor.

ON the 12th of May, 1846, a message was received from the President on the subject of the Mexican war. Mr. Crittenden asked on what order General Taylor had acted in taking up his position on the left bank of the Rio Grande, and the clerk read an order, addressed to General Taylor, from the War Department, dated January 30, 1846. Mr. Crittenden said he was glad to see what he had before apprehended, that General Taylor acted under the authority of the government; he was an officer of great discretion and had full authority for what he had done; he regretted the events communicated by the President's message; he thought it was our duty to extend sympathy, comfort, and friendship to South America and Mexico in their struggles for liberty. In place of that, we had entered into war with one of those republics, our nearest neighbor; he deprecated it the more as the republic was feeble and impotent, her strength consumed by anarchy and revolution. The war being entered upon, however, defense was now a duty; that being done, it was our duty to find out *who* had brought about this most extraordinary state of things, who is responsible for the hostilities commenced, for the American bloodshed. The blood of the brave is not to be wantonly shed. Mr. Crittenden thought it our duty to settle our differences as soon as possible; we were so much mightier than they, that our condescension would be noble. This subject was worthy of a *special mission*. It would, indeed, be a great embassy. Take Henry Clay, Martin Van

Buren, the senators from South Carolina and Missouri,—one, two, three, or all of them,—and he believed they would make a just and honorable peace. By taking this position on the left bank of the Rio Grande, we had done all that could be done to wound the national pride of Mexico; we should try healing measures to remedy this state of things.

Mr. Crittenden did not think the emergency so great as some senators supposed; he had unbounded confidence in the officer commanding on the Rio Grande; believed that in forty-eight hours after the date of the last advices, it would be found that General Taylor had whipped the Mexicans, driven them across the river, and was in possession of the town of Matamoras. Mr. Crittenden said he would be glad to send a minister plenipotentiary along with the general, and hold out the offer of peace with every blow. On the fifth of June, it was stated that General Taylor had been enabled to meet and conquer the enemy, by being reinforced by troops called out by General Gaines. Mr. Crittenden rose, and said:

I deny this! Honor to whom honor is due. The brave little army under General Taylor deserves and shall have all the honor. Our glorious little army has won the glory and should enjoy it. It has been said that General Taylor was once in imminent danger of being attacked and *destroyed* by those terrible enemies, the Mexicans. I never believed he was in the least danger; I know the man; I was assured that, whenever General Taylor thought it necessary, he would drive the enemy across the Rio Grande, whip them, and take Matamoras. With regard to the insinuation made by Mr. Sevier, that General Scott had shunned the field of danger by idling his time away from the post to which his country called him, Mr. Crittenden denied that there was the slightest foundation for such charges. No! a braver soldier never met an enemy than General Scott; he was no idler, never shunned danger. How could he have reached the scene of war? He was not ordered there; he was compelled to wait for orders. Should he have rushed to the battle-field without law or orders? No, sir; he has given every evidence that he was willing to serve his country in any place which the government might assign him. I make no comparison between these brave soldiers; they are patriotic, brave, and tried. As for honors, for public thanks, what has not General Scott received for his long-tried services? Justice and patriotism, under the laws of the country, ever char-

acterized his conduct. During these investigations, let us not forget that we live under a government of law and a Constitution. It has been said that the laws and Constitution are sometimes silent, or asleep. No! no! The Constitution never sleeps; it is dead when it sleeps; it is awake, day and night, and so may it be forever.

The following letters will explain the state of affairs at that time between the administration, General Scott, and General Taylor:

(J. J. Crittenden to R. P. Letcher.)

WASHINGTON, May 31, 1846.

DEAR LETCHER,—I received to-day your letter and Combs's of the 26th inst. I have just written to him, and am determined to oblige you with a very short epistle. Combs's *destiny* is evidently to be a general, though circumstances seem to struggle hard against it. His destiny must bear him through, and we shall yet hail him as a "military chieftain." I hope you did not fail to give him the "drink and the comfort" you promised. Indeed, it is a right hard case to exclude from this volunteer service all who aspire to any command above that of a regiment. Such persons are generally the most influential in raising forces, and their exclusion must tend to diminish the activity and zeal of the higher grades of our militia officers. I do not like it. It in effect takes from the States, or renders nugatory, their militia powers, and it is natural enough that the instincts of an old Kentuckian should be roused to some indignation; but still I don't approve of swearing, and especially swearing at Mr. Polk. I have not seen Scott since he read your letter. If he goes to the *wars*, I shall urge him to go by Frankfort; but he has lately been in a "sea of troubles" here with the administration, and, though it has calmed down, I do not think the waves have altogether subsided. Scott got into some nice questions with them,—wrote a *hot letter*, and was answered in kind, and told he was not to go to the Rio Grande. They have been since *mending up matters*; but I suppose he will not be permitted to go, though it is not yet, I understand, absolutely settled and certain. Singleton's will case was to have been tried again this spring. Wolley promised to inform me of the result. Can you not give me the information?

Yours, etc.,

J. J. CRITTENDEN.

(General Scott to J. J. Crittenden.)

Thursday, June 4, 1846.

MY DEAR CRITTENDEN,—When the supplemental bill to the volunteer act of May 13, 1846, shall be disposed of, it is prob-

able that Congress will take up one of the joint resolutions, that of the Senate, No. 26, or the one passed by the House, No. 34, presenting thanks to General Taylor. The second section of the Senate's resolution proposes a sword to be presented to the gallant and distinguished Taylor; that of the House is silent as to this or any other similar honor. Permit me to suggest that in all cases of thanks heretofore a gold medal (the highest honor) has been given to the commander of the army. Swords of honor are usually given to inferior officers under his command. In respect to the glorious victories of the 8th and 9th ultimo and the admirable defense of Fort Brown, I humbly suggest that a sword be given to the nearest male relative of each officer who fell on those occasions, or who may die of any wound there received. General Taylor has already been most justly rewarded, in part, with the brevet of major-general. It is probable that on the receipt of his detailed report of those victories, promised in his dispatches of May 9th, the President will be pleased to nominate other distinguished officers in the same victories for additional rank by brevet. Pardon this intrusion hastily made.

With great respect and esteem, yours truly,

WINFIELD SCOTT.

Hon. J. J. CRITTENDEN.

(General Scott to Hon. R. P. Letcher.)

WASHINGTON, June 5, 1846.

MY DEAR FRIEND,—It is always impossible to write a short letter to a friend, hence it has been impossible to write to you at all. Since about the 17th of May, including candle-light, I have averaged at my office table more than eleven hours a day amidst every sort of *vexation*, nay *persecution*, that you can imagine. On receiving the news of the passage of the Rio Grande by the Mexicans (the capture of Thornton's squadron), and when it was supposed Taylor's *two positions* were in great peril, the executive, as you may suppose, was in great alarm. Then it was (May the 14th) that I was told I should be sent with some twenty odd thousand twelve months' volunteers and a few additional regulars to reinforce Taylor and to *conquer a peace* in the heart of Mexico. The volunteers had just been authorized. I was needed here to make a thousand arrangements with the Secretary of War and the chiefs of the general staff, which could be made nowhere else and by nobody but the commander in constant contact with those persons, to distribute, to apportion, to settle rendezvous and routes, to regulate supplies of arms, ammunition, accoutrements, subsistence, medicines, means of transportation, camp equipage, and to raise the

troops, have them properly organized, put in motion at the right time, and put upon the right points, etc. These objects necessarily occupied me here till about the 30th of May, being much of the time engaged in doing *besides* all the critical work of the Secretary *with my own pen*. It was my intention then, about the 30th of May, to have left this place, in order to see that all was in a train of rapid execution. I should have passed down the Ohio and the Mississippi, to see with my own eyes, or assure myself by correspondence, that all was going on rapidly and well, keeping a little ahead of the troops to change routes, destinations, etc., and finally arriving on the Rio Grande with such a cloud of reinforcements as would have insured the conquest of peace, perhaps this side of the city of Mexico, and have saved the honor and pride of (as I called him, even before his victories) the gallant and judicious Taylor. *This*, as I told all here (officially) from the first, could only be done by a cloud of reinforcements; I added, three days before I heard of any success, nay, when all nearly but myself believed his army in the utmost peril, that I should esteem myself the unhappy instrument of wounding the *just pride* of the gallant Taylor, who had *done well* and was understood to be *doing well*, if ordered to supersede him, *except as above*. In the mean time whilst so employed, day and night, about the 16th of May, as soon as it was known that I was to be sent to Mexico, Democratic members of Congress began to wait upon the President to remonstrate against me, on the ground—as is well known—that if I were sent I would certainly succeed, and that with success I would as certainly prostrate the Democratic party in 1848, and perhaps forever! The President is also known to *have* been embarrassed by these remonstrances, and to have faltered and apologized for having thought of me in the moments of alarm. It became necessary to devise means to supersede me. *Two* were resorted to about the same time, say May 19th and 20th. First, the Secretary of War, without consulting me, *stole* into the Senate's Military Committee (the 19th), in the absence of Crittenden, *the only Whig of the five*. He took with him a popular bill I had drawn for the better organization of the twelve months' volunteers. With the four Democrats of that committee he prefixed the first section, authorizing the President to add *two* major-generals and four brigadier-generals to the regular military establishment. One of each grade was designed to supersede me and Wool (who was here) in the command of troops against Mexico. It was avowed that all of these generals were to be Democrats. Seeing the bill in print the morning of the 20th, and knowing already of the Democratic clamors against me, "*I smelt the rat*," and immedi-

ately told the Secretary that I saw the double trick; first, to supersede me, and at the *end* of the war, say in six or eight or twelve months, disband every general who would not place Democracy above God's country. The same evening, having constant work, as above, and with the Secretary, I was lectured by him, or rather he *commenced* a lecture (no created man shall lecture me with impunity, except as a friend) about my employments here (one-third on his own peculiar work), instead of being off, "without waiting for reinforcements, to the Rio Grande and to supersede Taylor." He muttered something about impatience in the public mind (Democratic leaders were his public). His objects were evident,—the *objects* of those whom he diffidently attempted to represent in the *lecture*. To damn me with the army, and the *just men* out of it, for superseding Taylor *without reinforcements*. To damn me, when, on the Rio Grande, for inactivity, while waiting for two-thirds of the new army, probably eight hundred miles in my rear. To damn me, more certainly even with twenty odd thousand *new* troops, on account of unavoidable inactivity *during the rainy season*, beginning in June and terminating in September, months in which we all then believed, and still believe, it is impossible to carry on military operations to any advantage *much* beyond the Rio Grande; and, failing to drive me upon utter ruin, as above, he hoped to establish a quarrel with me, and to *damn me* for *not* going against the clamors of Democrats. Governor Marcy had not the spirit (he is not a bad man, but is deficient in *candor* and *nerve*) to say, General Scott is here executing indispensable preliminary arrangements, including much of my own peculiar work, which I could not do without his help; he as yet, though designated for Mexico, has received no orders to go. At the proper time I shall give him orders in the name of the President, when he will be off *fast enough*. Remember this was the state of things on the evening of the 20th of May, and that we did not hear of any success of Taylor till the evening of the 23d. His dispatches were received forty-eight hours later. Feeling that I was in the toils, and if not a *Samson*, that I was a man, and a *stronger man* than any of my *entrappers*, I flung, the next day, the 21st, a letter into the teeth of the poor Secretary (the mere tool in the hands of party), my employments and what had been my purposes, but in commiseration I suppressed the work I had done and had *yet to do* for him. I took care, however, that he should see and feel that I knew all their machinations. Suffice it to say, whilst I have continued to avow my readiness to go with the reinforcements necessary for the work to be done and to save the honor and pride of Taylor, I was told, May 25th, that I would not be sent



to Mexico, but would remain in my office here. The glorious victories of Taylor, his brevet, his assignment to the command as *major-general* according to that brevet (which I contrived to effect), make it *now* impossible for any new major-general to *command him*. Such has been the glorious development of public feeling in his behalf that *he* may probably be the *one* new major-general to be added to the establishment. Even if not so, that enthusiasm will secure him in the continued chief command of the army against Mexico. The correspondence has been, and continues to be, grossly misrepresented by the Democrats here, and their newspapers elsewhere. Two members of the House have threatened to call for it; one of them was in the War Department a few days since, no doubt to consult with the Secretary on the subject. He was probably told that he would *catch a Tartar*. I have begged that no friend of mine would originate a call, but that all might join if the move came from the other side. The Democrats dare not call. Please keep me out of the newspapers. I write in great haste. You will see that I cannot take the friend of our friend Crittenden to Mexico. I have no power to help *anybody in any manner* here.

Always yours,  
WINFIELD SCOTT.

Hon. R. P. LETCHER.

(A. Butler to J. J. Crittenden.)

BALTIMORE, June 15, 1846.

MY DEAR SIR,—I am apprehensive that General Scott has committed political suicide. The correspondence recently published was read to me during the day I spent with him. It was too late to arrest the mischief, the letters having already passed, or I would have advised striking out certain passages in his letters to the Secretary of War. His views as a military man are correct in relation to the period of commencing the campaign as well as his objections to taking the command out of the hands of General Taylor until the force on the frontier was augmented; and if this alone had been done, omitting the soup portion of the letter and the simultaneous fire against his front and rear, and the use of the phrase "*persons in high places*," his letter would have been *unobjectionable*. As it is, public opinion sets against him very strong, and, worse than all, he is unmercifully ridiculed. I think it is Lord Chesterfield who cautions his son against a "*nickname*." And now to the principal object of my present communication. On the subject of the next presidential election, the opinion uniformly expressed to me at Washington has been that you, *John F. Crittenden*, stand fairer

as a candidate, with better prospects of success, than any other man of the Whig party. I quote to you the remark of the late Mr. Lowndes. In reply to an application to know whether he would be a candidate for President, he replied "that the Presidency of the United States was an office that should be neither sought nor declined," and I commend the sentiment to your consideration. Be silent, and leave your friends to pursue their course; *that is*, in no wise indicate a reluctance to being nominated. Your merits, talents, and services commend you strongly, and, in addition, your uniform amenity of character and general courtesy has earned you friends and secured you a support among members of the other party which I will undertake to say no other *Whig* possesses.

Your friend,

ANTHONY BUTLER.

On the 10th of July, 1846, a bill to reduce the duties on imports was under discussion. Mr. Crittenden opposed the whole measure and every part of it; was opposed to any decrease of the revenue when the utmost amount that could be obtained was required by the government. If the gentlemen on the other side were determined to pull down this great fabric by which American industry was fostered, they had no doubt the strength to do so. Samson pulled down the temple of the Philistines, and the result would be the same to them as it had been to Samson. He was opposed to all amendments; did not want to befriend the bill by making it a little better; was for bringing it *at once* to judgment with all its sins upon its head; wished it to receive that condign doom which it so richly merited. Mr. Crittenden thought such a state as the country now exhibited was never seen before. The administration had made a war that they might get back a peace after getting the country into a war which required all its resources; they reduce the duties to increase the revenue; they had been digging vaults and cellars and putting on locks and bars to keep the hard cash of the country, and now they were passing a bill to issue floods of paper money. Gentlemen were working diligently to fulfill the decrees of the Baltimore Convention. All these questions about free trade and sub-treasury and Oregon, etc., were but so many empty barrels set afloat on the stream of the late presidential election; they had answered their purpose, and ought now to be overboard.

As for the sub-treasury, he thought *that* was overboard. On the 1st of August, a bill for an "independent constitutional sub-treasury" was before the Senate. Mr. Crittenden declared it was an *old acquaintance* in the Senate. He thought if any measure had been ever rejected by the American people, it was this sub-treasury scheme. He wanted the old name retained, that the people might know it was the same thing forced upon them once before, which they quickly broke to fragments. The object of the bill in "*cabalistic phraseology*" was to divorce the government from the banks; its true object was to divorce the people from their government. This was tried once, and the people did not bear it well. If the gentlemen choose to dare their fate a second time,—well, be it so; let them take the consequences. Political life was not apt to make saints, but it has made many prophets, and the consequences of this measure might be safely predicted. We have authorized the government to issue twelve millions in treasury notes. *They* will help to augment the deposits in the treasury. There will probably be ten or twelve millions locked up in the sub-treasury. There may be more; but this is an old subject,—the bill must pass. There must be an *upper* as well as a *nether* millstone, or there will be no *grinding*. We have the *tariff*—we must have the sub-treasury. All we can do is to give the people warning. The people must decide whether the divorce of the people from the government *shall* or *shall not* be answered by a divorce of the government from the people.

(General Scott to J. J. Crittenden.)

WEST POINT, September 17, 1846.

MY DEAR SIR,—I send, to be read by you or any other discreet friend, copies of two notes. The Secretary's reply is vulgar and *cold-blooded*. Although I have not had a line from General Taylor himself, I have learned within a few days, through many channels, that he has *all along* expected and desired my presence; hence my renewed application. Being able to state his wishes, I scarcely doubted but that I would receive a favorable reply. But there is a project on foot, I suspect, at Washington, to withdraw Taylor and leave Butler in command. (See the *Union* of the 14th.) Of course General Butler is incapable of any machinations of *that sort*. The object of the party is to build him up *to run* for the *Presidency*, or

second to Silas Wright. I came here with chills and fevers, but am nearly well again. Shall be absent from Washington, *in all*, nearly twelve days. We shall have you back again.

I am yours faithfully,

Hon. J. J. CRITTENDEN.

WINFIELD SCOTT.

(General Winfield Scott to Secretary W. L. Marcy.)

HEADQUARTERS OF THE ARMY, WEST POINT,  
September 12, 1846.

SIR,—In the letter I had the honor to address to you the 27th of May last, I requested that I might be sent to take the immediate command of the principal army against Mexico, either *to-day or at any better time* the President may be pleased to *designate*. The horse regiments (twelve months' volunteers) destined for that army, being, I suppose, now within fifteen or twenty marches of the Rio Grande, and the season for consecutive operations at hand, I respectfully ask to remind the President of that *standing request*. I do this without any hesitation in respect to Major-General Taylor, having reason to believe that my presence at the head of the principal army in the field (in accordance with my rank), is neither unexpected nor undesired by that gallant and distinguished commander. A slight return of chills and fevers may detain me here with my family long enough to receive your reply. Should the President yield to my wishes, a few hours in New York and Philadelphia would enable me to make certain arrangements, and save the necessity of a return to those cities from Washington. I suppose it would be easy for me to reach the Rio Grande by the end of this month.

With high respect, I have the honor to be,

your obedient servant,

Hon. WM. L. MARCY,

WINFIELD SCOTT.

Secretary of War.

(Secretary Marcy to General Winfield Scott.)

WAR DEPARTMENT, WASHINGTON,  
September 14, 1846.

SIR,—I have received your letter of the 12th instant, and submitted it to the President. He requests me to inform you that it is not within the arrangements for conducting the campaign in Mexico to supersede General Taylor in his present command by assigning you to it.

I am, with great respect, your obedient servant,

W. L. MARCY, Secretary of War.

Major-General WINFIELD SCOTT.

(General Taylor to J. J. Crittenden.)

HEADQUARTERS OF ARMY OF OCCUPATION OR INVASION, CAMARGO,  
September 15, 1846.

MY DEAR SIR,—Your very kind and interesting letter of the 5th of June was duly received. The complimentary, and, I fear, too flattering manner in which you have been pleased to notice my services in this quarter has created feelings of no ordinary character, which are heartily appreciated but are difficult to describe, but for all of which I can truly say I am not ungrateful, and which are doubly gratifying to me coming as they do from one who holds, and has done so for such a length of time, so large a space in my friendship and esteem as yourself. From certain editorial remarks in the *Union*, as well as extracts of speeches made in the Houses of Congress, I must say I was not a little surprised at the course matters and things were assuming at Washington by those in power towards me, when it was supposed I was in great peril, from which, had I not succeeded in extricating myself, the administration and its friends were prepared to throw the whole responsibility on me. Mr. Sevier and the editors of the government paper, judging from what they stated (the first in the Senate, the latter in their paper), stood ready not only to deny, but had made up their minds to have sworn on the Holy Bible, had the executive required it, that I had received no order to take a position on the Rio Grande, before any court, civil or military, had I been arraigned before either to answer for doing so.

The capture of Thornton and his command was owing to his too great contempt of the enemy, in addition to his neglecting to obey my orders, both verbal and written, for which I deemed it my duty to bring him before a general court-martial, the result of which is not yet known. The affair in question, I observed from the papers, caused the greatest apprehension and most disastrous forebodings throughout the country, as well as no little dismay among the officers of the command; but I had no apprehension as to the final result, and continued, in a quiet way, to complete my arrangements, and with the blessing of Divine Providence and the discipline and courage of my command, more than succeeded in all my plans and designs.

The additional rank conferred on me by the President, in conjunction with the flattering and highly complimentary notices which have been taken, as well as communicated by several of the State legislatures, as well as by Congress, as regards my recent conduct and that of the army under my command, has been very far beyond what I expected or deserved, and however gratifying, I will not say it was less so in my case than it would have been in others under like circumstances; yet it was trifling

to what I felt when I saw and read the bold, fearless, and confident statements (made by you in the Senate during the most gloomy period, as regarded my situation) expressing, in strong terms your confidence in my sustaining myself and the honor of the country, adding obligations which I can never repay, but which cannot be obliterated or forgotten. The promotion conferred on me, both brevet and general, was unexpected and unsolicited, connected as they were with the management of this war. I would have declined could I have done so with propriety. But under the circumstances in which I was placed in being assigned to so honorable, at the same time responsible, a position, I did not feel at liberty to decline it; and although prospects of success were, and are still, gloomy, yet I determined to go through one campaign, and to leave nothing in my power undone, which can be accomplished, to carry out the views and wishes of the executive in bringing about a speedy and honorable peace, at the same time with less prospect of advantage to the country, all things considered, as well as reputation to myself, than I could have wished.

The last order of importance I had then received from Washington was in February, while at Corpus Christi, dated in January, which was to move forward to take and maintain a position on the left bank of the Rio Grande, but not to cross it unless Mexico made war on us. I was, therefore, not a little surprised when about the 25th of July I was informed I had been selected by the President to conduct the war against Mexico with the brevet rank of major-general, which had been conferred on me, accompanied by a plan of campaign, the number and description of the troops to be employed, as well as many other details; and although differing in many respects in regard to it, particularly as to the number of volunteers, as being greatly too large for the means of transportation which is and can be procured in the country to make them available, or can be brought to it in any reasonable time. The first wagon or wheel-carriage, in addition to the limited means previously here for the use of the troops who accompanied me from Corpus Christi, has not reached my headquarters up to the present moment. Notwithstanding I anticipated many serious difficulties, yet I did not feel at liberty to decline the trust in question; and although I may not equal the expectations of the country as regards my successful operations against the enemy, I trust, however, my friends, at least, will give me credit for my zeal and exertions, which will be untiring, to put an end to the war. As soon as I found war was inevitable with Mexico, I made a requisition on the governors of Louisiana and Texas for a little upwards of five thousand men, to be brought into service for the longest time known to the laws

in like cases; of equal numbers from each of the States,—not, as I informed the War Department and Major-General Gaines, to aid me in defending our soil, but to enable me to carry the war into the enemy's country. Instead of the two thousand seven hundred asked from Louisiana, double that number was sent me, besides a regiment of near one thousand strong from St. Louis and about the same number from Alabama, half of which was authorized by General Gaines. This force, in addition to the Texas quota, was more than could be used to advantage in this quarter. They were called out for six months. Before these or a part of them could be removed from near the mouth of the Rio Grande, the twelve months' volunteers commenced arriving at Brazos Island, and have continued doing so from time to time, until, a few weeks since, they amounted to sixteen regiments and one battalion, averaging seven hundred men each, the landing of which and their baggage, and removing it and their supplies, some fifteen or twenty miles, to the banks of the Rio Grande, the first or nearest place where wood and water fit for use could be had, has occupied much the largest portion of transportation to remove them from their place of landing to their place of encampment. While this was doing, Mier, Rionosco, and this place were occupied by small commands of regular troops as fast as I had or could get the means of doing so. While this was going on, it was determined at Washington that the troops from Louisiana brought into service under my call could not be legally held to serve beyond three months, and those from that State, Missouri, and Alabama, mustered in by authority of General Gaines, were illegally in service, and that they should be all discharged,—the first at the end of three months, the latter immediately, unless they would agree to serve for twelve months or during the war. This they declined doing, and, of course, they were sent to New Orleans and discharged. The whole had been removed from Brazos Island to the Rio Grande, and four regiments above Matamoras, expecting to concentrate them here preparatory to a move into the interior of the enemy's country. In this I was disappointed. The whole of the volunteers were brought out and landed near three hundred miles from where there was a probability of finding an enemy at the foot, or perhaps the table-lands, of the Sierra Madre, with a wilderness intervening of near half the distance, without bringing with them the means of removing, by land or water, a barrel of pork or flour, as well as being deficient in many other articles to render them comfortable and efficient. For want of the proper means to remove the men, a large portion of them are still occupying the first position taken on the Rio Grande, and

will continue to do so for some time to come. I do not mention those things either by way of complaining or despairing. Be the obstacles what they may, I expect to overcome them and march into the heart of the enemy's country in the way you recommend, and will not only take but will occupy some of their principal towns and provinces until a peace is concluded between the two countries, if we can get supplies, or we will find honorable graves. I have with great difficulty and labor succeeded in getting here, near four hundred miles by water, from its entrance into the Gulf, up one of the most difficult rivers to navigate by steam known to our people, a large supply of ordnance, ammunition, forage, etc., besides between three and four hundred thousand rations, with the proper arrangements for keeping up the necessary supplies of every kind. One hundred thousand rations have been thrown forward to Lesalto, about half way between this and Monterey, where I am locating another small depot, and expect to leave here in six days for Saltillo, two hundred and fifty miles distant, by the way of Monterey, with six thousand men, two thousand five hundred regulars, the balance volunteers, which is the largest number we can get transportation for, and that for the most part pack-mules hired from the people of the country, where, if I succeed in reaching it, I contemplate, if there are supplies to be had in the country (even corn and beef), to throw up a strong fortified work, which can be defended by a small force, to bring forward to that point the largest force which can be fed there; after which I purpose to act as circumstances may seem to justify and warrant. On the contrary, if no adequate supplies are to be had at or near Saltillo, we must, as a matter of course, fall back within reach of our depot on the Rio Grande, concentrate at Brazos Island, and take Vera Cruz as soon as the season will permit, and march on the city of Mexico from that place. By referring to a map of Mexico, you will perceive Saltillo is a highly important position for concentrating a large force, which can be employed in cutting off all communication between several of the northern states and the capital, and where the necessary arrangements can be made for marching on San Luis Potosi and other important cities.

A revolution has recently taken place in Mexico. The principles on which it is based, or is to be carried out, are not fully known here. Some say the Federal party has come into power; others, that the people have put down the military; but I presume the principal actors hardly know or have any fixed object in view other than that of getting into power.

Certain it is, however, that Paredes has been put down, and is now, if he has not been murdered, in the hands of his oppo-



nents, and that Santa Anna has been recalled. How all this is to affect our present relations with that country, time must determine; but I trust the result will be favorable.

No one respects General Scott more than myself, and it would have been gratifying to me had he been assigned to duty in this quarter, which I had not only wished but expected would have been the case, in which event I would have taken his orders with much pleasure and given him every support in my power.

You must not, my dear sir, expect too much from me. You have but little idea of the difficulties I have had to contend with in consequence of so large a volunteer force having been thrown on my hands. The bad arrangements at Washington in addition to, if not a feeble quartermaster's department, an inexperienced one, and, instead of marching on Monterey, which I ought to have done more than two months since, I have been occupied, among other matters, in getting the volunteers removed to and encamped at the most eligible positions in regard to health, which I considered to be my first duty, as many of them, poor fellows, will fall victims, do what I can to prevent it in this latitude.

Let me assure you I have no political aspirations; my whole thoughts and wishes are now occupied in bringing this war to a speedy and honorable close. Let this be accomplished, and I will be perfectly satisfied, whether in a cottage or parlor. No one can appreciate your views and opinions as regards military matters more than myself, or the course I ought to pursue, which coincides fully with my own. But circumstances, over which I had no control, have prevented me from attempting what I wished and would have done under a different state of things. I have given you, in my crude way, the situation of affairs past and present in this quarter, which I hope you will be able to understand. The future must speak for itself, and I hope it will not be without interest. I hope to be in possession of Monterey and Saltillo as soon as our legs can carry us there. The troops have commenced marching for those places, and will not, I hope, be halted for any length of time on the way by the enemy. Should we reach those places, I will write you from the latter, if my life is spared and I am able to do so.

I have looked up the Hon. Mr. Pendleton's acquaintance, and find the 1st Regiment U. S. Infantry in good health and spirits; will see his company commander and know what can be done for him as soon as I have time to attend to such matters. I am interrupted every five minutes while writing, so you must make great allowances for blunders and blotting, etc., and take the will for the deed, as it is all most kindly intended.

Be pleased to remember me most kindly to your excellent

lady and every member of your family with and near you, as well as wishing you and them continued health and prosperity.

I remain your friend truly and sincerely,

Z. TAYLOR.

(General Scott to J. J. Crittenden.)

WASHINGTON, September 30, 1846.

DEAR CRITTENDEN,—I send herewith a copy of my letter to General Taylor, written four days ago. I wish I could send copies to Corwin, Morehead, Archer, and Berrow. Perhaps you may take the trouble to send the paper to them, beginning with Morehead. Probably you may soon hear that Jessup is on his way to New Orleans; he goes, *not* to take command, but to give a general superintendence to the business of the Quartermaster's Department at that city and on the frontier. The desire to *supersede* General Taylor with Patterson (which can only be done by recalling the seniors, Taylor and Butler), or with Butler, I know, through confidential private sources, *still prevails*. Taylor wishes very much to visit his family and property about the first of November. This fact I carefully withhold, and beg you to do the like, as, if known, the wish of the executive and the party would be instantly carried out. I should not know that you had reached home alive but for a short account I have seen of the grand *barbecue* near Frankfort. I am too proud to complain of neglect. Archer repassed this way improved in health. I think I am pretty clear of Tray, Blanche, and Sweetheart,—the little dogs and all,—who, since May, have been so eager to fly at my throat. And perhaps you might do well to imitate the example of that heathen who touched his *hat* to the fallen statue of Jupiter, saying, "Who knows but he may be *replaced upon his pedestal*." There's a taunt of vanity for you, and I add another,—

"True as the dial to the sun,  
Although it be *not* shone upon."

I remain ever yours truly,

Hon. J. J. CRITTENDEN.

WINFIELD SCOTT.

(General Scott to General Z. Taylor.)

WASHINGTON, September 26, 1846.

MY DEAR GENERAL,—Having had within a month several returns of chills and fevers, I went North, the 10th instant, to visit my family, and have returned nearly well. I find here your friendly letter of the 29th. Mine to you, of May 18th, required *no answer*; but, under the persecutions I had to sustain,—in part the result of my confidence in, and respect for, you,—I certainly felt a little hurt that you did not acknowledge, *or* cause to be acknowledged, that communication. The fact that, with

the knowledge and approbation of the Secretary of War, I had written and dispatched that letter, *became*, in the controversy with the department, of great importance to me; hence my anxiety to have your acknowledgment, and hence the feeling that I had been neglected. Perhaps, under the persecutions alluded to, official and otherwise, I may have been too sensitive on the subject. Be this as it may, I never for a moment ceased to watch over your fame and interests with the liveliest solicitude, and I can assure you that even after hearing (May 23d) of your brilliant victories, that *watchfulness* was not unnecessary. By the 12th, public opinion in your favor had become powerfully developed in all quarters of the Union, and hence the instructions you received of that date, which I was desired to draw up; three or four days before it was still intended to *supersede you* and other *old generals* with a batch of six *Democratic* generals (see Colonel Benton's declaration in the Senate), which Mr. Marcy had asked for, May 19th. My first thought was to defeat the whole batch, *if I could*, leaving you *in command* by means of your new brevet, and get you assigned to duty accordingly; but, relying on the strength of public opinion, I was subsequently well pleased that the *batch* was reduced to one major-general and *two brigadiers*. The first place could not then be withheld from you, and the *second* and *third*, I hoped, from Worth and Harney. You have, however, since been in danger of being superseded, or recalled, in favor of Butler or Patterson. About the 7th, several leading Democrats waited upon the President, complained of your "*dilatoriness*," of your intention to throw the regulars forward, and to keep the volunteers (the better troops) in the background, that Jones and myself were sending to you more troops than you needed (except to aid you in that policy), that it was necessary to *build up* a reputation for Butler, in order to run him for the Presidency or the Vice-Presidency, etc. What reply the President made to this I did not learn; but that he himself, about the same time, had a wish to charge Patterson with the chief direction of the war in the field, I think I know with certainty, as well as the name of the individual (a Democrat) who defeated that wish for the time, on the ground that Patterson is a foreigner by birth, and the necessity of withdrawing the *two* senior major-generals. Having some knowledge of these machinations, and hearing of your liberal sentiments towards me through private letters from Colonel Taylor, Majors Thomas and Bliss to their friends, I addressed a letter to the Secretary of War, a copy of which I herewith inclose, together with his reply. You will perceive that there is nothing in the reply that precludes superseding you by placing Butler or Patterson in command. It is due to these generals that I should add, as far as

I know or believe, both are entirely innocent of any participation in these machinations. My hope and confidence remain firm that you will (as heretofore) defeat your enemies, both in *front* and in *rear*. All that I can do to give you that double victory you may rely upon. Candor requires that I should say while laboring under a sense of neglect on your part, I mentioned your silence, in a tone of *complaint*, to several common friends—all your *admirers*,—Crittenden, Morehead, Archer, and Corwin. Since I heard of your liberality towards me, about the 7th instant, I have written to these distinguished senators to do you justice.

In haste, very truly your friend,

To General Z. TAYLOR.

WINFIELD SCOTT.

## CHAPTER XX.

1846-1847.

Letters of Baillie Peyton and General Scott—Bill in Senate for increased Pay of Soldiers and Volunteers—Letter of General Worth from Saltillo—Letter of G. B. Kinkead, and Crittenden's Reply.

(Hon. Baillie Peyton to J. J. Crittenden.)

MONTEREY, October 2, 1846.

DEAR SIR,—This city capitulated on the 24th, after several days' hard fighting, and with the loss in killed and wounded on our side of five hundred men, among whom are some valuable officers, both regulars and volunteers. General Worth has immortalized himself in storming this city. He was detached with the second division of the regular army and Col. Hays's regiment of riflemen for the purpose of taking the city, occupying the Saltillo road and operating against the outworks and town from the west side. His success was complete; he performed a series of the most brilliant feats which will be classed with the brightest in our annals. Seven or eight battles won in the most splendid style, scaling heights, storming batteries, and forcing his way into the city, driving the enemy and his batteries before him in the streets. Worth's judicious conduct and noble and gallant bearing are the theme of universal applause. I had the honor of acting as one of his aids on the occasion, and no man could be near his person without becoming acquainted with the music of balls, with cannon, including grape, canister, and a whole orchestra of martial music. Now at some of the most emphatic of these notes *my horse* was a "*leetle skittish*;" but understand distinctly that I speak of *my horse*, and no other member of the family. General Worth has been so kind as to notice me in the handsomest manner. To this distinction I assure you I have very little claim: He requests me to tender to you his warmest regards, and to say that you must and shall be the President of the United States; that he has not fully made up his mind as to whether he will accept the office of Secretary of War, which he considers as tendered to him in advance. This depends much on your improvement in one particular—that is, in *dignity* and *distance*; he means to sustain all the pomp and circumstance of office himself, and cannot think of serving under a chief who is not up to the mark.

"Take him all in all," he is the high-combed cock of the army, head and shoulders above the crowd.

I have written out, at some length, my views of the operations under General Worth and sent them to New Orleans for publication. I was not altogether in favor of letting the Mexicans off so lightly; but when the thing was done by such men as Generals Taylor and Worth, I felt bound to sustain it.

Very truly your friend,

BAILLIE PEYTON.

Hon. J. J. CRITTENDEN.

(General Scott to J. J. Crittenden.)

WASHINGTON, October 19, 1846.

DEAR CRITTENDEN,—I am afraid you will exclaim, What, is a recess to be no holiday to me? for this is my third or fourth letter. Notwithstanding the three glorious days at Monterey, the terms of the capitulation came very near causing Taylor to be recalled; his standing with the people alone saved him. Mr. Polk, Mr. Buchanan, and some others of influence out of the cabinet argued that Ampudia and his army *were bagged*; that they could not have held out a day, if three hours longer; that a surrender as *prisoners of war* would have led to an early peace; that we have now to beat the same enemy again at the mountain pass (very difficult) between Rinconada and Los Muertos, thirty miles beyond Monterey, with such reinforcements as may arrive in the mean time from the interior; that Taylor (ignorant of our new proposition to treat having been rejected by the new Mexican government) was cheated into the abandonment of his first terms by the adroitness of Ampudia (and contrary to the instructions) to grant the armistice, etc. But, as I have said, notwithstanding the ardent desire to put Butler or Patterson in command, the *fear* of Taylor's popularity prevailed, and the *Union* was instructed to praise him. Perhaps Butler's wound may have aided this result. I know that minute inquiries *about that wound* were made of the bearer of dispatches, by two of the cabinet and Ritchie, who replied that Butler might not be able to resume the saddle in many weeks. Taylor's detailed report has not been received, and, indeed, nothing from him since 25th September; he makes *Worth* the principal *hero* of the occasion, which gives a lively joy to everybody, yet I fear he will not be breveted. I shall renew the application to that effect on the receipt of the detailed report. The armistice will be terminated by notice about the end of this month. No time will have been lost; for, under the impatience of the executive, the movement from the Rio Grande was premature. From the want of maturity in the arrangements, Taylor was forced to

leave the great body of volunteers behind, and a respectable portion of the *regulars*. The Kentucky and Tennessee mounted regiments could not have reached the Rio Grande before the 10th, perhaps the 15th. For the want of this important force, Taylor and Henderson had to prevail on the Texan horse to engage for a second term, notwithstanding the Secretary's orders to discharge all volunteers for a term less than a year. They thus obtained a mounted force of some fourteen hundred men, including three hundred and fifty regular cavalry. But the Texan horse had already, on the 25th, become impatient to return home. The two regiments from Kentucky and Tennessee will be in time to replace them before the recommencement of hostilities. The cavalry will be of but little use in storming the difficult pass just beyond Monterey; but, in the plains beyond, they will be indispensable to protect our volunteer foot against the clouds of Mexican horse. Notwithstanding Santa Anna's fierce and unexpected letter, declining the *dictatorship*, I think we shall have peace before next summer. Two more victories at the pass of Rinconada and at Saltillo, with an evident capacity to continue the triumphant advance, will make him *sue* for peace, and sufficiently impress the nation to enable him to *dare* to accede to our terms,—the left bank of the Rio Grande and along the parallel of 36 from that river to the Pacific. *I* should be unwilling to claim an *inch* beyond these boundaries, but *suppose* the administration will be more extortionate in the case of continued successes. Friend Archer has written me two most abusive letters. He is angry with me (on old grounds) because I do *not* professedly and in fact *think, speak, and act* precisely as he directs. He crossed a *t* or dotted an *i* in your beautiful letter about the dissolution of the cabinet in 1841, and hence he always holds you up as a model of *successful docility*. If I would only put myself exclusively under his government, he would be the best friend in the world. As it is, he is a valuable one, for whom I have a very sincere affection. I inclose you a copy of my reply to his two letters, *half* jocose and *half* retaliatory. I deprecate his wrath, but I have also taken care to show him that he is not *invulnerable*. Show the copy to our friend Letcher, and please return it to me.

Yours sincerely,

Hon. J. J. CRITTENDEN.

WINFIELD SCOTT.

In October a resolution was offered in the Senate to increase the pay of the soldiers, especially the volunteers, engaged in the Mexican war, and also to grant a certificate of merit to every private soldier who distinguished himself. On this subject Mr. Crittenden made the following remarks:

Mr. President, I am not tenacious about the form of the resolution, but the substance is important. There were peculiar circumstances attending the service of our troops in Mexico, which, in my judgment, in the judgment of the people generally, render it proper that those troops should receive increased pay, especially the volunteers, who left their homes for the service with less experience of camp life and less ability to take care of themselves than the regular soldiers; they were entitled to receive an increased compensation. This resolution, however, was made to embrace the regular soldiers of the army as well as the volunteers. It is well understood that, owing to the character of the service, their expenses have been greatly increased. The resolution does not specify the amount by which it is proposed to increase their pay, and I think it just that this point should be left open to the judgment of the committee. I insist, however, on the propriety of some amount of increase.

The second branch of the resolution contains a provision which I am satisfied will meet with the cordial approbation of every one. Our officers who distinguish themselves receive an honorable reward for their services by brevet promotion; but the soldier may toil and dig and fight valiantly and perform the most heroic deeds without the possibility of signalizing his humble name. The resolution proposes that the committee shall provide a means by which this defect shall be remedied, by granting a certificate of merit to each private soldier who has distinguished himself, and that such certificate should not be a mere empty honor, but the holder should, in consequence of it, be entitled to some additional pay,—something to remind his companions that his country had taken notice of his services, humble as they were. I confess, however, that I have a decided preference for the form of the resolution. This is not a new subject to me. I think the prompt and unhesitating adoption of the resolution in its present form would be the most complimentary and honorable testimony which the Senate could bear to the army. I do not believe there is a nation in Europe which would not have honored with increased pay any army which had performed the same service. The British army in India had been very liberally rewarded for the services they rendered in achieving their recent victories over the Sikhs, and I believe a reward is usual in every victory won by the armies of the nations of Europe. Not only the privations to which the troops are exposed, not only the increased expenditure attending the soldier's life, but the meritorious and great services rendered justly claim an increase of compensation at the hands of the country. The resolution did not propose a permanent



increase, but an increase only during the continuance of the war. I hope there is no diversity of opinion. I am unwilling to make it a subject of inquiry. Inquiry implies hesitation—doubt. I think the troops have a right to expect decision. Their conduct has been decided; so ought our sense of it to be. We should provide some consideration of honor as well as of emolument for the brave soldier who has hazarded his life equally with the officers for his country, though the eyes of the world rest upon the *officers* only. There is not an army in the world where a private soldier has not some hope of attaining a higher honor than in ours. That great soldier Napoleon made the star of the Legion of Honor to glitter on the breast of the humblest soldier as well as on that of the proudest marshal. This government can confer no such honor; it is not consistent with the institutions of our country. All that we can give is a mere certificate of honorable merit, which the brave soldier can hand down to his children with pleasing and grateful recollections. I am sorry that my friend from Florida takes such a view of the question; I had hoped a ready support for this resolution from him. I am sorry that his sterling democracy is alarmed by the creation of what he supposes to be distinctions in this country contrary to its laws. I think if the gentleman will reconsider the question, he will find no cause to fear lest this lead to a state of military despotism. The gentleman is willing to grant land to the soldiers or pay them out of the treasury, but not willing to give them any other kind or description of reward—no such token of approbation as grateful countries usually bestow upon meritorious services. How much more acceptable to the heart of a soldier is some lively token of the appreciation of his country than the mere mercenary recompense! I can find nothing in this proposition to justify the terrible apprehension of the gentleman. I regret that it is proposed to convert the question into a resolution of inquiry. No one has stopped to inquire whether our soldiers have taken Monterey or fought at Palo Alto or Resaca de la Palma. I hope the resolution will pass in its original form; this will give it more weight and bring it home more pleasantly to those who are interested in it.

(General W. J. Worth to J. J. Crittenden.)

SALTILLO, MEXICO, December 28, 1846.

MY DEAR SIR,—General Scott has written to me respecting your son. The young gentleman has not yet come within my reach. When he does, be assured I shall lay my hands upon him and look well to his interest. From present appearances, he may soon have chances to flesh his sword; then I have no

doubt his blood will show itself. The enemy is very strong, numerically, in our front and within a few marches; whether to come here or observe Taylor, who is moving upon Victoria on the left, and perhaps strike his flank, "cannot yet be divined." During his absence I am under command of Major-General Butler. We have about five thousand men at and in supporting distance of this point, and quite indifferent what numbers they bring. The desert in front, *without water*, absolutely forbids a forward movement until the rainy season, which they say is not till June. They are operating on the wrong line, and from a base too remote. The inauguration of the President (*ad interim*) is highly belligerent, and his Minister of War smells of *sulphur*; but he of the finance says *he has not a dollar*. After a display of *heroics*, the President *leaves* it all to Congress—fifty-four forty or very like it. Shall we have peace?

Faithfully yours,

Hon. J. J. CRITTENDEN.

W. J. WORTH.

In the latter part of December, 1846, Colonel Alexander Barrow, senator from Louisiana, died very suddenly in Baltimore. Several of his intimate friends in the Senate were summoned to his death-bed, Mr. Crittenden among the rest. Colonel Barrow and himself had been warm personal friends for many years.

Both the colonel and his brother senators were aware of the immediate approach of death, and the final grasp of the hand and the sad words of farewell were very touching. With his last breath Colonel Barrow commended his two sons to his friends.

The funeral services took place in Washington; several addresses were made and warm eulogies pronounced. Mr. Crittenden had been requested to speak, and intended doing so. He rose and made several ineffectual attempts to control his voice. After uttering three or four almost inarticulate words, with his speaking countenance convulsed with grief and both eyes and voice filled with tears, he bowed low and took his seat. That this was more eloquent than any spoken words was manifested by its effect upon the brilliant audience. Such a scene was never witnessed in the senate-chamber; every eye was filled with tears, and low sobs were heard from every part of the room. The following letter from Senator W. P. Mangum is interesting as relating to this subject:

(Willie P. Mangum to J. J. Crittenden.)

WASHINGTON, December 31, 1846.

MY DEAR CRITTENDEN,—The scene of yesterday in the Senate, and the part you bore in it, have dwelt upon my mind, my heart, and my memory, the whole time, as it were, burned in *all* with a brand at white heat. You know me well enough to know that I never flatter my friends,—I have not flattered you. I will therefore say that the more I know of you, the more I respect and love you.

I would not exchange such a heart as yours, were it *mine* or my friend's, for one that the world would ordinarily call *good*, and for all your high and brilliant eloquence and undoubted abilities.

Could our excellent and lamented friend Barrow have witnessed the scene, his high and noble soul would for such a tribute have been almost willing to meet his fate, premature, as we short-sighted mortals regard it, for himself, for his family, and for his country.

Your friend,

To the Hon. J. J. CRITTENDEN.

WILLIE P. MANGUM.

(G. B. Kinkead to J. J. Crittenden.)

FRANKFORT, KY., January 2, 1847.

Hon. JOHN J. CRITTENDEN.

SIR,—I regret that I was disappointed in conversing with you on the subject of this letter before you left Kentucky, for it has been one of reflection with me and conversations with prudent friends for some weeks. I am, therefore, not acting rashly or without consultation with common friends; and from the nature of the subject, the motives which influence me, and the length of time since I first fell under your kindly notice, I trust and believe you will not consider me guilty of unauthorized freedom in addressing you.

I think it manifest that the present administration, from a variety of causes useless to enumerate to you, has made itself so unpopular as to break down all reasonable expectations that the party that placed it in power can elect its successor or prevent the candidate of the Whig party, whoever he may be,—with one exception,—from an easy triumph. That exception, in my opinion, and in the opinion of others of the Whig party worthy of much consideration, is no other person than Mr. Clay. And in thus frankly speaking I need hardly stop to vindicate to you, who have so long known me, from any suspicion of being discontented with the Whig party, its leading measures or men (a charge too often brought to terrify those who express themselves with freedom about that distinguished gentleman), or

from having a disposition to erect my judgment and that of a few friends against the will of that party whenever it is uttered; nor will you suspect me of any improper feeling against Mr. Clay himself, from whom I never sought or was denied, or what in some natures is more offensive still, received a favor of any sort in my life,—whom from my earliest youth up I have supported and admired as becomes one man to admire another,—in whose hopes of success I have exulted, and in whose defeats I have felt deep and almost personal mortification; nor, to close my negotiations, do I look for or desire office from any President which I would not receive from Mr. Clay,—that is, I do not expect it of any.

I have thus been particular in denying all improper motives or feelings in connection with this subject because I know the habit has been in Kentucky to suspect the fidelity of any man to his party, or the singleness and sincerity of his motives, who believed and expressed the belief that that party could exist, or have any hopes of success, without Mr. Clay as its head. I confess for myself that for some time past, since his last defeat, the converse of this proposition has seemed to me to be true; and that the Whig party cannot exist, or with any hopes of success, so long as Mr. Clay continues his political aspirations. And instead of this opinion being an evidence of want of patriotism and sincere devotion to that party to which I have always belonged, I claim it as the highest I can present. I love that party too well willingly to see it dwindle into a faction, as it must become from a great party, by again supporting a man whom the people have so often rejected. I love the principles of that party better than I do any man; and I am sure I speak the sentiments of a large majority of the Whigs of the State when I say, I would rather take a certain triumph with another than to risk being, or rather to be certain of being, defeated with Mr. Clay.

And am I not right? Is the Whig party reduced so low, and its present leaders so unskilled, or its measures so complicated, that without Mr. Clay we can do nothing, and if he were dead we would be hopeless? Surely not so think the people, who, in the last few years, whenever Mr. Clay's name has been withdrawn, have manifested every disposition to sustain the Whig policy, but, with his name before them, have shown a willingness to forget their interest in his defeat. You should know better than I do, or any other in Kentucky; but, rest assured, should Mr. Clay again run for the Presidency he will be defeated, and the Whig party routed worse than ever, and scattered to the winds.

The facts and reason leading to this conclusion must strike

you and every other unbiased mind; and so strong is this conviction with many of the best men of the party, that they doubt even whether he will carry Kentucky. You know Kentucky, however, better than they or I do. I am satisfied she does not want him nominated again.

Under the circumstances, your friends in Kentucky are anxious, with your permission, to place your name before the people of the United States, and they grow a little impatient sometimes, when they think they see the road clear before you of all other obstructions but Mr. Clay, and your generous nature preventing you shoving him aside. Under your name they have confidence of success, because they feel that they can throw their souls into the conflict. I am no flatterer to you, but believe me, there is scarcely a precinct, in Kentucky at least, where men would not feel their bosoms beat for you as for a brother. And your very political enemies would feel themselves disarmed of their accustomed rage, because they would know you had no hoarded revenge to pour out against them, no vindictive and proscriptive feelings to gratify.

It is possible the body of the people, fascinated with the brilliant victories of General Taylor, would, at present, seize with more avidity on his name for the Presidency. But that is not a thing to change the action of Kentucky, or, at any rate, of your friends in it. A thousand casualties may befall General Taylor, and they desire to place you in a position which may be advantageous for all contingencies. They desire, unless you forbid it, to let the members of the legislature nominate you for the Presidency, and they know the people of Kentucky will stand by the nomination. They are unwilling to see you yield claims for the high place, which they acknowledge, to what they consider the selfish and vain ambition of another.

I have thus far expressed myself frankly to you, and I will do so once more. In searching for the motives which are stimulating your friends in Kentucky, I find them with others as with myself, not springing from expectations of office, or from any other unworthy source, but I feel great pleasure in giving my feeble approbation to the generous sentiments which, from your lips, impressed themselves on my boyhood's memory, to the enlarged and liberal views and magnanimous sense of justice which have compelled the admiration of my manhood, to the strong social nature, and warm and earnest eloquence which won alike boy and man. These I find the motives, and the expression of them the reward we seek in your elevation.

With sentiments of respect,

I am your obedient servant;

G. B. KINKEAD.

(J. J. Crittenden to G. B. Kinkead.)

WASHINGTON, January 10, 1847.

DEAR SIR,—I have received your letter of the 2d instant, and thank you for it. I may well feel some pride in the partiality and commendation of one known to me from his boyhood, and who is himself (I can say it in language of the simplest truth) esteemed and commended by all who know him.

I concur cordially with you in the patriotic sentiment, that *principles* are to be preferred to *men*, and that the triumph of a good cause ought not to be sacrificed or hazarded by the indulgence of any personal favoritism in the selection of a candidate. The selection of a candidate is a secondary consideration, and should be made with a due regard to all the circumstances that might render him more or less efficient in advancing the great cause that he represents.

And it is therefore that I think the nomination of a candidate for the Presidency ought to be forborne by the Whigs as long as possible, so that they may have the benefit of all intermediate occurrences, and all indications of the popular feeling and opinion to guide them in their choice, and may have the advantage of the last lesson that *time* can give them on the subject.

This is the general sentiment of the Whigs here. They think that it would be premature and impolitic for their party to bring forward, in any prominent or conspicuous manner, candidates for the Presidency at this time, or for some time to come; that those candidates would immediately become objects of attack by their political opponents, and enable the latter to divert the public mind from that attention to, and scrutiny of, the conduct and measures of the present administration, which is now bringing down daily condemnation upon it and the party that sustains it.

From all this you may readily infer my answer to your question, whether I am willing to consent that my Kentucky friends should place my name before the people of the United States as a candidate for the Presidency. I should very much regret it, and I do believe that such a nomination would be more prejudicial than favorable to the pretensions which you and other too partial friends are disposed to set up for me. My name, without the least agency on my part, has somehow or other gone abroad to the public in connection with the Presidency, and to an extent that has surprised me, and I find myself most unexpectedly set down in the grave list of personages out of whom it is supposed a President may possibly be made.

If there is any "conjunction" in my name, it will be found out as well without any formal nomination as with it. My

opinion is, however, that no such discovery will be made. There will then be an easy end of the matter, so far as I am concerned, and my friends and I will be saved from any imputation of intrusiveness on the subject. In any event, it will be time enough to act next winter. By that time things will be developed, and we shall be able to see and act more clearly and understandingly. My opinion, my advice, my wish is that all action be postponed till then. I wish you to believe that I speak in all sincerity when I say that I not only feel no longing, no impatience, on the subject, but that I feel something more like alarm than gratification at being spoken of as a candidate for the Presidency. I do not know whether this indifference or shrinking results from my natural disposition or from the circumstances and relations towards others in which I have grown up. But if I was ever so anxious on the subject, if my feelings were ever so different from what they are, I should think it very bad *policy*, considered in that point of view only, that I or my friends should appear even to *push* Mr. Clay aside. I grieve to be obliged to concur with you that his present prospects seem to me to be discouraging and gloomy. But a change may take place. If not, he will not desire to become a candidate, and his mighty aid will be then freely and nobly given to any other that may be selected as the standard-bearer of his principles and his party. I think that such a deference and such a delay are no less due to him than required by sound policy.

In my anxiety to secure your hearty concurrence in these views, and to satisfy you that it is best to postpone any movement on the subject of the Presidency, I find that I have been very tedious, and this acknowledgment, I fear, will be considered as but a poor recompense to you.

Believe me to be very sincerely, your friend,

J. J. CRITTENDEN.

G. B. KINKEAD, Esq.

## CHAPTER XXI.

1846-1847.

Letter of General Taylor to Mr. Crittenden from Monterey, Mexico—Reply of Mr. Crittenden—Letter of James E. Edwards to Crittenden—Webster to Crittenden—Letter of Mr. Clay to Mr. Crittenden, inclosing J. L. White's Letter to Mr. Clay.

(General Taylor to J. J. Crittenden.)

MONTEREY, MEXICO, January 26, 1847.

MY DEAR SIR,—Your highly esteemed and very welcome and interesting letter from Frankfort of the 6th of November, favored by your son, Mr. Thos. L. Crittenden, was handed me on the night of the 25th ult. while on the march from this place to Victoria, the capital of the department of Tamaulipas, for which you have my sincere thanks, more particularly so for intrusting to my care my young relative, who I much fear, from the awkward and unpleasant position I have been placed in by those in high places, will be greatly disappointed in not having an opportunity to accomplish what he has made such great sacrifices to do, which was to have an opportunity to come in collision with the enemies of his country, as I have in a great measure been stripped of my command—laid on the shelf; or, in other words, I am ordered to act strictly on the defensive, or it is expected that I will do so; so that I need not expect again to see the enemy in force or in battle during the continuance of the present administration. But let matters and things fall out as they may, I shall take the best possible care of him as long as he is disposed to continue in the country, and hope to restore him, if not covered with scars and laurels, to his family and friends in at least excellent health, as well as being gratified at many of the scenes he will have passed through while in this country.

On the 10th of October I received, by Lieutenant Armstead, dispatches from the War Department informing me that copies of the same had been sent to Major-General Patterson, authorizing him to organize a force to move on Tampico, if I approved it, giving as a reason for commencing a correspondence with my subordinates on such subjects was to prevent delays, which might occur in consequence of the distance between General



Patterson and myself, which reason was futile and without foundation, as, in the first place, General Patterson could not move without I approved the measure; and secondly, the distance between us could be readily overcome by express in twenty-four hours. As soon as the secretary commenced tinkering with my subordinates in my rear I was satisfied I was not to be fairly dealt by by that high functionary, and my suspicions have been fully verified. Again, on the 2d of November, I received by the hands of Major Graham, of the Topographical Corps, sent as an express, dispatches in answer to mine announcing the fall of Monterey, directing me to put an end to the armistice entered into with the Mexican commander, and to recommence hostilities with renewed vigor, when the same would have expired in five days by limitation after due notice was given to the enemy. This dispatch was followed by another brought by Mr. McLane, son of our late minister to England, directing me not to advance on San Luis Potosi, but to remain where I was and to fortify Monterey; at the same time suggesting a descent on Vera Cruz, which they thought might be taken with four thousand men, presuming I could spare that number from the lower Rio Grande; and, if I thought well of the measure, I could detach Major-General Patterson with the force in question on said duty. In reply, I informed the secretary that I thought not less than ten thousand should be employed on such an enterprise; that but little should be left to hazard so far from reinforcements, supplies, etc.; but that if he would organize an efficient force in the States of six thousand men and send them to Vera Cruz, with the necessary means to carry on the most active operations against the city and castle, which ought to be done by the 10th of the present month, I would hold at or in the vicinity of Tampico four thousand men to join the six thousand, the whole to be under the command of General Patterson, or any other officer the department might designate. This communication was written about the 14th of November, to which I have, up to the present moment, received no answer, as well as to several other important ones.

Soon after sending the communication referred to, I received a private or unofficial letter from General Scott, stating he had addressed a memoir to the War Department on the subject of an attack on Vera Cruz, stating that it ought not to be made with a less force than ten thousand men, six thousand regulars, claiming the command of the expedition, which he did not expect would be given him, and objecting to its being given to Patterson on account of his being a foreigner. It appears, however, that he, General Scott, wormed himself into the same, which he effected, and which was determined on, on the 18th of Novem-

ber, when he proceeded to New York, from where he wrote me another private letter full of professions, in which he states he was on his way to this country, charged with important duties, which he did not feel authorized to disclose or communicate by mail, for fear his dispatches might fall into the hands of the enemy; that he had no officer at hand to send with them, etc., in which I have no doubt he was entirely mistaken; that he would leave New York for New Orleans on the 30th of November, expected to reach the latter place by the 12th of December, Brazos by the 17th, and Camargo on the 23d, when he would communicate with me fully by letter, as he did not expect to see me, and he might have very properly said he did not wish to do so; that he was not coming to supersede me, but would take from me the greater portion of my command, both regulars and volunteers, leaving me to act purely on the defensive until Congress could raise an army for me to command, which he hoped they would do by adding to the establishment some eight new regiments, and by large bounties would fill the ranks, so as to enable me to move into the enemy's country by May or June, and meet him somewhere in Mexico; all of which he knew was out of the question.

From the middle of November to the middle of December I was busily engaged in occupying Saltillo and Parras, when I left here for Victoria, for the objects I stated to you in my last communication, with about four thousand men, directing General Patterson to move from Matamoras with two regiments of foot and one of mounted volunteers, to unite with me at Victoria, leaving Major-General Butler with a respectable force in command here, General Wool at Parras, and General Worth at Saltillo; all to be under the command of the former when united, which was to be the case in the event of Santa Anna's moving on the latter place. On the night of the third day's march from here, when forty-five miles distant, I received by express from General Butler information that a dispatch from General Worth had reached him stating that Santa Anna was marching on Saltillo with a large force, asking reinforcements, in consequence of which I returned here by forced marches, passing Monterey the second day a short distance with most of the regulars with me, directing General Quitman to continue on to Victoria with upwards of two thousand volunteers and one battery of regular artillery, to form a junction with General Patterson, with orders to drive a body of the enemy's cavalry at and near Victoria, about fifteen hundred strong, across the mountains, which was done. The third day, and the next after passing this place, I received a letter from General Butler, who had proceeded to Saltillo, that the report of Santa Anna's move-

ment was entirely without foundation, when I at once returned, and, after resting the command here one day, proceeded on again to Victoria, which we reached on the 4th inst. On the 24th, the second day after leaving here the last time, I received General Scott's private letter from New York, which I have already referred to, which was the only intimation I had received of said arrangement up to that time, when I did not consider it advisable to change any of my arrangements, but informed him by an officer sent to Camargo that I would await his orders at Victoria, which communication he received in due season. He reached Camargo on the 3d of December, and, as I was at Victoria, ordered General Butler to send down to Brazos, or the mouth of the Rio Grande, all the regular infantry and artillery serving as such, with two batteries of artillery, five hundred regular cavalry, and five hundred mounted volunteers,—the best to be selected by General Cox, premising that I had under my command seven thousand five hundred regular troops, a larger force of that description than has ever been under my orders at any one time, which fact he, General Scott knew, or ought to have known, as the prescribed monthly returns have been constantly furnished the department through the adjutant-general's office, to which he had constant access. The largest number of troops of that kind we have ever had here was about six thousand, and nothing like that number fit for duty; and at Victoria I received orders, after taking a sufficient escort to accompany me to this place, to send the balance of the command to join him at Tampico.

I must say that a more outrageous course was never pursued towards any one than has been in the present instance so far as I was concerned. I can but look on General Scott's course as marked by the greatest duplicity that he could have practiced. Mr. McLane, when here, stated to me that Mr. Polk informed him that great efforts had been made to have me relieved by General Scott, and stating among other reasons that I was anxious for General Scott to be sent here, and that I was determined or was very desirous to leave; that Mr. Polk stated in reply that I had never intimated a wish to be relieved by General Scott or to leave the country, and that he (General Scott) would not be placed in command. The same persons then proposed that Worth should be breveted and placed in command, which the President also refused to do, stating that I had fully carried out all the views and expectations of the department, and that if I wished and asked to be relieved, that General Butler would succeed me; authorizing Mr. McLane to say to me that I should not be interfered with. But it appears that General Scott not only knew the effect of a well-directed fire in the

rear, but understands the proper mode of directing it with effect on others, particularly when aided by the Secretary of War and another individual in my front or neighborhood. But let it all pass; for, had General Scott claimed the command of the army as his right by seniority, and it had been granted him, and he had come out in an open and manly way and entered on the duties appertaining to the same, I certainly would have made no objection to the arrangement, but would have taken his orders, had I been placed in my proper position, and given him every aid in my power in carrying out his plans in accordance with the views and wishes of the department, or would have retired without a murmur if my services were considered of no importance; as some little relaxation would not have been unacceptable after having had my faculties, both mental and physical, completely on the stretch for more than a year and a half,—a large portion of which time has been passed in the saddle, without having passed one night in a house, or any other cover than a tent. What I complain of is in not being advised of the change which was to take place as soon as it was determined on at Washington, which would have been the case had the slightest regard to courtesy or decency been observed towards me; for in that case the murder of a young officer sent to me with important dispatches which fell into the hands of General Santa Anna, making him fully acquainted with the contemplated attack on Vera Cruz, as well as the limited force left for the defense of the conquered country, would have been prevented, and would have saved a portion of the troops here and myself a long and tedious march of more than four hundred miles, besides the expenditure of several thousand dollars; for had Mr. Marcy and General Scott come to the conclusion that their plans were not safe in my keeping, instructions might have been given to me to have suspended all movements of troops until the arrival of the latter; but it may be they thought the risk of their plans falling into the hands of the enemy, even if it turned out to be so, was less objectionable than it would be to have intrusted them to me. Their course would warrant such a conclusion.

As the department has withdrawn its confidence from me, whether with or without cause, the interest of the service, it appears to me, required I should at once have been superseded altogether or have been at once withdrawn from the country. Had I been disposed to be ill contrived, or even punctilious, I would not have turned over the troops or any portion of them to General Scott or any one else without an order from the Secretary of War, which order General Scott did not produce; in which course I would have been fully sustained by the regula-

tions made for the government of the army. (See Article III. paragraph 15.) But it was sufficient for me to know the wishes of the President on the subject in question to do all in my power to carry them into effect; and have, therefore, withheld no one or thrown any obstacles in the way to prevent General Scott's complete success, even if compelled to fall back to the Rio Grande, preferring to be sacrificed rather than the expedition to or against Vera Cruz should fail, or even than it should be thought by the most censorious I had thrown any obstacles in the way of its complete success from any cause whatever.

Had General Scott, as I conceive he ought to have done, mounted his horse or got into a carriage and visited me at Victoria, or if he was not physically able to have done so, ordered or requested me to have met him at any point on the Rio Grande, where he could have at once ascertained the precise regular force under my orders, if he had neglected to inform himself on that point before leaving Washington, as well as to have discussed other matters connected with the further prosecution of this war face to face, it might, and in all probability would, have prevented some heart-burnings, as well as might have resulted beneficially, as far as some portion of the public service was concerned. But such a straightforward course did not suit, as he would necessarily have acted under great restraint, as he must have been constantly reminded of the intrigue concocted by him and Marcy, aided by the misrepresentations of a certain individual here, who has been promised a brevet of major-general, and to be specially assigned to duty with the same, for the performing his portion of the dirty work, in taking from me every battalion of infantry and every company of regulars or volunteers. But this will not prevent me, I trust, from doing my duty here and everywhere else as long as I continue in the public service. I have never asked for a command, and did not come here to serve myself, but the country; and when promoted to the high rank of major-general, which I neither asked nor expected, and charged with the management of this war, I informed the chief magistrate of the country, through the proper department, that I had great fears of not being able to meet his expectation, but would do all in my power to bring the war to a speedy and honorable termination, and would, at any time, turn over to another or lay down the command with more pleasure than I assumed it. No matter as to the course of General Scott, I truly and sincerely wish him success, notwithstanding one of the principal objects in getting up the expedition in question was to break me down, which I have been looking for ever since the surrender of the city of Monterey, particularly as so many persons had, contrary to my

wishes, connected my name with the Presidency at the next election, which disconcerted and annoyed General Scott and other aspirants, who deemed it no doubt necessary to have me at once killed off. I regret to think of General Scott, and to express myself towards him to you as I have done, knowing, as I do, you are friendly to him, nor do I wish to destroy or even to shake the same; but I must think and speak of him, whenever I deem it necessary to do so, in the way I consider his conduct towards me warrants, judging from acts alone, not from words or professions.

It seems to me the expedition against Vera Cruz is a false move at this late season; nor will Santa Anna, if anything of a general, attempt the defense of the castle of San Juan; if the Mexican Congress determine not to negotiate, which I truly hope they will not do, but determine to carry on the war, Santa Anna will at once abandon the battle as soon as he is aware of the preparations made by us to take it; oppose the landing of our troops as long as practicable, falling back to the mountains, defending all the difficult passes through the same, and destroying the road, will so retard the progress of our troops that the vomito or yellow fever must drive us from the country, as it is more to be dreaded than one hundred thousand Mexican bayonets. I believe much the safest course would have been to have concentrated the whole force at Saltillo, which could have been made up to near twenty thousand effectives, and at once marched into the heart of the country and taken possession of the rich mining departments, where we would have found supplies of provisions and forage, and which must have compelled Santa Anna to have fought us on equal terms or to have thrown himself between us and the capital, if we had beat him, which we must have done, or if he had retired before us his army would have disbanded; in either case peace must have resulted, had there been a government to treat with. I should have suggested this course to General Scott had we met, if he had been invested with full powers, which should have been the case; for, although there might have been some, or indeed many, disadvantages in regard to the same, yet they would have been greatly overbalanced by health, etc., which would have enabled the command to act throughout the entire year.

Thomas wished to have gone on with that portion of the army to Tampico from Victoria, bound from thence to Vera Cruz; but I was not willing he should do so, as in that case he would have been running too great a risk among strangers as an amateur, particularly from the northerners, and yellow and other fevers common to that part of the country. I considered him placed under my charge, and therefore have insisted on his re-

maining and living with me until he leaves the country; and should any chance for distinction offer he shall have the opportunity to embrace it.

The Kentucky volunteers were, by accident, or rather the Louisville Legion were, prevented from taking a more conspicuous part than they otherwise would have done in the battle of Monterey, particularly on the 21st, on account of their having been drawn up on the right of General Butler's division, near our battery of artillery; and when the general was ordered to advance and sustain the regulars then engaged in the town, I ordered one regiment to remain stationary and protect the artillery and for other purposes; the Kentucky troops were selected for that object purely on account of their position. Unless Santa Anna attempts to drive me from my present position, in which case I shall resist to the last, no matter as to the description or amount of my force, which I hardly expect he will do, the Kentucky troops shall have a full share of the work. McKee and his regiment I have the greatest confidence in; they are now in advance, which position they shall continue to occupy as long as they and myself continue to remain in the country.

On receiving the order at Victoria, which I considered a most outrageous one, I determined on the moment at once to leave the country, or rather to apply to do so; but on more mature reflection I have concluded to remain for the present, or until the department thought proper to relieve or supersede me in reality as well as in effect. In the mean time, if I can aid in bringing the war to a close I will take pleasure in doing so, with a perfect indifference as to who may get the credit of the same. On the subject of the Presidency, I am free to say, under no circumstances have I any aspirations for the office, nor have I the vanity to consider myself qualified for the station; and while I can say to you that while I would not refuse, perhaps, to serve and do the best I could, if the good people of the country should be so indiscreet as to confer that high station on me, at the same time could I reach the same by expressing even a wish to do so, I would never arrive at it. I had hoped, from the recent elections in several of the States, that some distinguished political Whig, yourself for instance, would be selected, and would be elevated to the office in question, and I consider the great cause in failing in bringing about so desirable an event will be, that there may, and will be, too many aspirants for the place among those calling themselves Whigs. Butler's division, with less than one thousand regulars, will compose my principal force; and I cannot precisely say what the first, or, indeed, what the latter, will number until General Scott leaves for Tampico

or Vera Cruz. One of my greatest apprehensions is, that many of the volunteer officers and privates came here with the hope and expectation of gaining personal distinction by coming in contact with the enemy, and as soon as they understand they are barely to act on the defensive, with no hopes of a fight, they will disregard everything like instruction and orders, become dissatisfied, and will insist on being discharged to return to their homes; this state of things the officers of rank say they very much fear. I would much rather force extensive lines of an enemy, such as I have to look after with volunteers, than defend them with the same description of force. They must, the volunteers, have something constantly in prospect to excite them, keep them contented and efficient.

I much fear your patience will be exhausted before you get through this long and, I greatly fear, uninteresting epistle; if so, I must say to you, as I have on a former occasion, throw it aside, or in the fire, as you may think best, taking the will for the deed, as I can truly say it is kindly intended, admitting, at the same time, that I write under some excitement and constant interruption. Wishing you and yours uninterrupted health and prosperity, I remain truly and sincerely,

Your friend,

Hon. J. J. CRITTENDEN,

Z. TAYLOR.

United States Senator, Washington City.

P.S.—Just as I finished this, a report has reached here from Saltillo, sixty or seventy miles in front of this, where there is a considerable force stationed, that one or two companies of the Arkansas mounted men, under Major Borland, of that State, sent in advance, some fifty or sixty miles, to gain intelligence and watch the movements of the enemy, had been surprised and the whole captured; although it comes from an officer of high rank, yet I flatter myself it will prove erroneous.

Z. T.

(J. J. Crittenden to General Taylor.)

MY DEAR GENERAL,—A few days before I left Washington, on my return home at the close of the session of Congress, I had the pleasure to receive your very welcome and interesting letter of the 26th of last month from Monterey.

The treatment you have received was certainly calculated to excite your discontent and resentment, and your friends, I may say. The whole country sympathize in your feelings.

The public seem very much disposed to put the harshest construction—the most sinister construction—on the conduct of the administration towards you, and of all concerned in it. I am not surprised that you have been discontented and excited on the occasion, but I am gratified to find that, notwithstanding



your deep sense of personal wrong, you determined to remain in the service and to stand by your *country* until actually superseded, so that it may appear to all the world that your retirement was the act of the government and not your own voluntary choice. The *country* will appreciate your conduct and your services, and will reward them, whatever individuals may say or do. You and your reputation are under the best protection in the world—the protection of the people. You have deserved and acquired it by your services and your victories, and still further services and victories will strengthen and animate it. The public is not inattentive to your situation, and to the impotent condition in which you have been left. The perilous situation in which you are supposed to be placed with Santa Anna and an overwhelming force in your front, excites here the keenest apprehension and sensibility. Any disaster that should befall you will be visited with universal execration on the heads of those who have exposed you to the peril.

This place and the whole vicinity were thrown into the greatest excitement and agitation a few days ago by the fearful rumors that reached us that Santa Anna had marched upon you with overwhelming numbers, that your communications were cut off, and that you were engaged in doubtful and bloody battles. I send you with this a slip from the *Commonwealth*, a newspaper published here, announcing this intelligence. I have seldom seen such a burst of public feeling as it produced. You seemed to be the object of universal sympathy and concern. And every voice seemed to be raised against those by whom you had been left exposed to such inevitable dangers. They were ready to believe that it was impossible for you to defend yourself against such odds, and that you had been blindly, if not willfully, sacrificed.

The greatest anxiety still prevails, and will continue until further intelligence is received to clear away our fearful doubts and apprehensions. We wait for further intelligence with the utmost impatience.

I must confess that I feel the greatest uneasiness when I consider your situation and the great numerical superiority of your enemy, and the desperation that compels and forces that enemy to the conflict. But still my confidence, perhaps unreasonable, prevails over my fears, and makes me say that you will defend yourself and be again victorious. God grant that it may be so, and that our next intelligence from you may convert all our fears into rejoicings and triumphs. I must tell you, however, that the public mind is full of the forebodings of evil. If these should prove true, the blame will not be laid on you. You will be considered as a victim, and others will

be held responsible. But if out of all these difficulties and perils you shall be able to come victorious, what a victory it will be, and how it will fill the heart of the nation with exultation! I will indulge that anticipation to the last.

I think, general, as you do, that the administration is very blamable in its conduct towards you. It has been wanting, as it seems to me, in that courtesy, respect, and confidential communication and consultation with you that were due to you and to the public service. But perhaps this may have been the result of inadvertence only,—a blamable omission merely,—without any intention of disrespect or offense. I hope that it may be so, and that you may be willing at least to admit that construction to prevail, unless something shall occur to render a different course necessary to your own vindication.

I should exceedingly regret any controversy between you and General Scott, and hope that it may be avoided, unless it becomes necessary for your defense and your honor. I hardly think it can become necessary for any such purpose. You need no defense, and your reputation having become part of the *country's* fame, the country will take care of it. My views in all this, I must confess, are not limited only to your military position.

Yours,  
J. J. CRITTENDEN.

(James G. Edwards to J. J. Crittenden.)

BURLINGTON, IOWA, March 4, 1847.

DEAR SIR,—In accordance with instructions, I take great pleasure in forwarding to you a resolution, which was unanimously adopted by a large Whig meeting, held at the capital of Iowa, on the 22d ult. I have delayed forwarding the resolution until I could furnish you the proceedings in detail, which you will find in my paper, the *Hawk Eye*, of this date.

*Resolved*, That inasmuch as we have been deprived of our representation in the Senate of the United States by the unconstitutional refusal of the Locofoco party of Iowa to consent to an election, we therefore commit the interests of the people of Iowa, in the United States Senate, to the kind care and keeping of the Hon. John J. Crittenden, of Kentucky, and Hon. Thomas Corwin, of Ohio.

With heartfelt feelings of admiration for your undeviating attachment to the Whig cause, as well as for your virtue and patriotism,

I am, dear sir, your most obedient servant,  
JAMES G. EDWARDS, Ed. *Hawk Eye*.

(Daniel Webster to J. J. Crittenden.)

WASHINGTON, April 6, 1847.

DEAR CRITTENDEN,—My son Edward is a captain in a regiment of Massachusetts volunteers, and has arrived at Rio Grande with two or three companies under his command. In the course of events, I hope he may arrive at General Taylor's headquarters. My own acquaintance with General Taylor is slight, and I have thought that you might be willing to inclose Edward a note of introduction, to be presented to General Taylor when he shall meet him, or to be forwarded, in case he should find it convenient. Edward's first desire will be, of course, to go on that he may see active service, and not remain passive. His command consists of fine fellows, quite well drilled and disciplined for the time. I believe they are as well inclined to follow as to lead, where something is to be done. General Taylor is certainly a most remarkable person. He has shown himself not only superior to his enemies, but far abler and wiser than his superiors at home. I admire his prudence, judgment, and modesty as much as his coolness and bravery. In my opinion we have had no such military man since Revolutionary times. Your son gave us an hour while here, for which we were greatly obliged to him. There were about as many of us putting questions to him *all at once* as there were men in buckram upon Sir John Falstaff.

Truly and cordially yours,  
DANIEL WEBSTER.

The following letters from Mr. Clay to Mr. Crittenden, and the letter from J. L. White, which Mr. Clay inclosed to Mr. Crittenden, explain themselves.

These letters show the commencement of that coolness between Mr. Clay and Mr. Crittenden, and the causes that led to it, which arose about the time of the nomination of General Taylor for the Presidency, and continued until a short time before Mr. Clay's death. I regret that I could not obtain Mr. Crittenden's reply to Mr. Clay's letter of the 21st of September, 1847. I found, by a letter from Mr. White to Mr. Crittenden, that Mr. Clay had forwarded Mr. Crittenden's reply to him. I made an application to Mr. White's executors for the letter, but did not succeed in obtaining it.

No event of Mr. Crittenden's public life, relating to him personally, distressed him so much as his alienation from Mr. Clay.

(Henry Clay to J. J. Crittenden.)

ASHLAND, September 21, 1847.

MY DEAR SIR,—I think it due to our mutual friendship, and the candor and confidence which have ever existed between us, that I should afford you an opportunity of perusing the inclosed letter. I need not say that I do not indorse any of the conjectures and reflections affecting you which it contains. You will give to it such consideration as you may think it merits, after which, be pleased to return it to me.

Your faithful friend,  
H. CLAY.

(Letter of J. L. White sent by Mr. Clay to J. J. Crittenden.)

MY DEAR SIR,—I should have made one of the New York party who visited you at Cape May had I been in the city when it left, but at that time I was absent in Indiana and Kentucky. My desire to see you was stronger than ever, because I hoped to learn something of the cause of the movement in your State by leading Whigs in behalf of General Taylor. That Mr. Crittenden should lend himself to it was, to all your friends here, a subject of regret and disappointment; yet I had a lingering hope that his object was not to go ultimately for General Taylor, but temporarily to divert public attention from yourself to him, and thus create an opinion among our opponents that you would in no event be a candidate. Such a hope was natural, knowing, as I did, Mr. Crittenden's former devotion to your interests. My recent visit to the West has destroyed it, and unless he has acted in the matter with your knowledge and approbation, he has separated himself from his friends, in this region, without warning and, I fear, without just excuse. *Is it possible that he had such approbation?* and has the recent movement in Kentucky been made after consultation with you, and approved by you? I do hope you will inform me on these points, if it is not asking too much of a *not very old* but as an undeviating and unchangeable a friend as you ever had or now have.

My visit to Kentucky convinced me that there was, among the controlling spirits of the Whig party, little or no interest felt for General Taylor out of Kentucky. If our friends in it would remain quiet, the flame kindled for him, with the aid of his incessant correspondence, would soon be extinguished, and the entire mass of the Whig party, excepting only Webster, Seward, Weed, Greeley & Co., with whom we can dispense, would again rally for their first love. Will not the Whigs of your State preserve a neutrality at present, or are they demented? My desire is simply to ascertain if the Whigs of your State are acting with your concurrence.

I remain, as ever, your sincere friend,  
J. L. WHITE.

(Henry Clay to J. J. Crittenden.)

September 26, 1847.

MY DEAR SIR,—I hasten to acknowledge the receipt of your letter, and to relieve your mind from any impression that I shared in the views taken, in regard to the next presidential election, by Mr. White. Repeatedly, whilst I was recently abroad and since I have returned home, such statements in respect to your course have been made to me. I thought I understood you. I find I did, and to all such inquiries I make representations of your conduct substantially corresponding with your own account of it.

Your friend,  
H. CLAY.

## CHAPTER XXII.

1847-1848.

In Senate, February 3, 1847—Thanks to General Taylor—Relief for the Suffering of Ireland—Letter from Crittenden to Burnley—Defense of Mr. Clay—Letter from J. S. Pendleton—The Allison Letter—Letter from A. H. Stevens to Mrs. Coleman on the Subject of the Allison Letter—Crittenden to O. Brown.

THE three following speeches I have thought proper to introduce here rather than in the volume of collected speeches. They do not so much indicate Mr. Crittenden's patriotism or political views as his humanity and large-hearted charity for the suffering poor, his love for and confidence in his friends, and his prompt courage in defending them and battling for a just recognition of their rights.

Mr. Crittenden.—Mr. President, it appears to me, from the character of this resolution of thanks to General Taylor, that there is a feeling existing against the general, arising, no doubt, from that sort of party spirit which has interfused itself through everything and with which all persons are more or less imbued. I think a subject of this nature should be treated irrespective of party. As the leader of the forces of the country, General Taylor had nothing to do with party; he was above all party; he sought for no party approbation—desired only the approval of his country. I believe, if it were known how little General Taylor busies himself about politics, parties, or political operations, how exclusively devoted he is to the service of his country, the knowledge of the fact would shield him from every unkind suspicion.

General Taylor is not a political partisan, much less is he *actuated* by that sort of spirit which seemed to have given complexion to this resolution. The whole country has received the intelligence of the gallant achievements of our little army, under the leading of General Taylor, with proud satisfaction, mingled with surprise at the singular success which has attended these operations. Conducted under circumstances of extreme difficulty and embarrassment, I believe they are not surpassed by anything which has ever occurred in the history of the world. Now, when the councils of the country are called upon to express the public gratitude inspired by these

great achievements, why should they give room to that sort of spirit which prompts them to look for some circumstance to dim the lustre of these great achievements? Why qualify the expression of their approval in such a manner as to make it doubtful in the opinion of the world whether it was not the intention to cloud the glory of his renown and drug the very cup of thanks they are holding to his lips? It is not usual to inquire, after a great victory has been won, whether, if managed in some other way, the battle could not have been better fought. It is surely enough that victory has been gained, without regard to the order of battle, whether gained by the superior exertions of the centre, or of the left wing, or of the right. General Taylor has done *all* that was expected, has evinced the skill of an accomplished general, and the courage and valor of a perfect soldier. Why, then, strive, with a critical eye, to grasp at some little circumstance in order to convey a sentiment of disapproval? I do not impugn motives. I speak of the interpretation which will be put upon the resolution by the world. It bears evidence upon its face that they do not approve the armistice. What can they know about the armistice which would enable them justly to determine whether it is a subject of approval or otherwise? Some gentlemen whom I have heard converse upon this subject seemed to entertain the expectation that General Taylor, with his slender forces, exhausted by a three days' battle, should have rushed upon thousands of their intrenched adversaries and forced them to an unconditional surrender. Would any of those cavaliers have so acted?

At the close of the battle, General Taylor had about five thousand available troops. Was it to be expected that those brave fellows, after three days' fighting, should rush, bayonet in hand, upon the enemy, nine thousand in number, strongly fortified, and make them prisoners? It is an easy matter to talk of such deeds by our firesides; but I venture to say that the opinions of Worth, Davis, Henderson, and General Taylor are of more value than the judgment of any man, or men, who did not participate in the battle. In regard to the armistice, what could have been done more than had been done if the armistice had not been agreed upon? For two months, at least, after such a battle and victory the army could have done nothing, whilst the armistice would have the effect of paralyzing the enemy during the time of its continuance. The fact of assenting to an armistice proves General Taylor to be a man of sound judgment as well as humane feeling; it gave him time to obtain supplies and restore the vigor of his own little army, and afforded to the women and

children of the beleaguered city time to escape the horrors which would attend the sacking of a town by a triumphant soldiery.

Military men are the best judges of these matters ; they stand upon the point of honor ; they are trained to that sentiment ; they *live* and *die* for honor, and appreciate, above all other things, the honors conferred upon them by their country. What, then, would they think of this obliterated compliment,—this uncertain mark of approbation ? How would such a compliment be received by an army after winning such a battle ? What will the people think when it is perceived that senators are endeavoring to qualify the matter so as to go against or for General Taylor according as the tide of war or politics might turn ; ready to take a sort of neutral position ; to take shelter under the armistice, and to vote approval and disapproval at the same time ? Such resolutions should be not only a reward for past good service, but an incentive for further achievements and further victories. Will this be so ? The next time they fight, the next time they accomplish a brilliant victory, what thanks will they expect ? If an expression of approbation is of any value it must be free and unrestrained,—free as the rain from heaven. The compliment, if qualified, is turned to dust and ashes. The senator from Alabama seems to entertain an impression that striking out this proviso would imply some censure or disapprobation of the President of the United States, who disapproved the armistice. Now, I think the gentleman unduly sensitive on that point. I do not see how such a construction can be given it. General Taylor might have had reasons unknown to us which induced him to make that capitulation ; while, on the other hand, the President may have had purposes which were unknown to General Taylor and which justify him in disapproving it. The conduct of both may be reconcilable, and both may be right.

No one can undertake to say that that battle was managed with the skill of a Washington or a Napoleon ; but it was conducted with skill enough to accomplish a great purpose and achieve a great victory. For this the country rejoices, and we return thanks. I am not thoroughly acquainted with military history, and have listened with respectful attention to the senator from Alabama, who says there has never been an instance of a conquered army leaving a conquered city as the Mexican army left the city of Monterey—with arms in their hands—after dictating the terms of their capitulation. I agree with the gentleman in this ; my slight reading does not furnish a similar case. Nor do I know of any case where seven thousand, eight thousand, or nine thousand troops, in good training, in the heart of a city, with cannon, and equipped and provided with



all the destructive means of warfare,—a city in which every house is a fortress,—had surrendered to five thousand and agreed to march out between the files of the enemy,—taking with them nothing but their clothes and side-arms,—leaving their ammunition and all public property behind. Now, how did Santa Anna regard this? As a triumph? If all that we hear can be relied upon, Santa Anna has those officers in custody, from Ampudia down, and they are to be tried for cowardice. It would, indeed, be a singular state of things for us to be disapproving the conduct of our general in permitting the officers to go out, and Santa Anna should be trying them for cowardice for going out! Enough has been done to entitle our soldiers to our unqualified thanks; they have shown themselves to be brave and patriotic. General Taylor had no purpose but to serve his country to the best of his power; he and his little army had done great things; their exploits are to form part of the history of this country, and the Senate is forming material to enable others to detract from the value of those services,—authenticating records by which the historian may blemish our military glory. I hope this will not be done! This victory is more dear to the American heart because it is crowned with the wreath of humanity. General Taylor has shown not only courage and skill, but also humanity,—humanity to women and children. This armistice is sanctioned not only by the laws of nature, but by the laws of God. To have acted otherwise would have been to commit most sacrilegious murder, for which there would have been no defense. Thank God, this capitulation had been *distinguished* not more by courage than by humanity.

(In Senate, February 26th, 1847. Relief for the suffering poor of Ireland.)

Mr. Crittenden.—Mr. President, I rise in accordance with a notice given on a former day to introduce this bill for the suffering poor in Ireland and Scotland, but before making this motion I beg leave to make a few remarks. The whole world has heard of the calamity which has fallen on these countries, of the scarcity and famine which prevail there. I do not rise with an empty parade of words to impress the picture of a famishing people upon the minds of this honorable body. I wish only to discharge what I consider a solemn duty. As representatives of the people it is our duty to carry out their views, as they have been presented to this body. The calamity is no ordinary one. It is not the result of idleness or folly on the part of the people. It is one of those inscrutable dispensations of Providence to which we are as nations one and all liable, and in which we should be one and all interested. The

depth and extent of the calamity is known to the whole world, and the whole world must feel for the sufferers. It may be asked, is it any duty of ours to attempt to relieve their sufferings, to interpose our charity? I think it is. Our liberality as a nation has been exhibited in cases by no means as appalling. The bill which I have drawn up is in the language of the bill passed in 1812 for the relief of the people of Venezuela suffering from the effects of an earthquake. That bill was approved May 8th, 1812. It was introduced by a committee, of which Mr. Macon was chairman. The character of Mr. Macon is well known. From his ceaseless vigilance he was called the watchman of the committee. The bill passed by the unanimous vote of the House of Representatives, and I notice among those voting for it the names of Randolph, Richard M. Johnson, and Mr. Calhoun. It does not appear that there was any opposition to it in the Senate, and the bill appropriated fifty thousand dollars. In that case it was but a partial calamity, arising from an earthquake. No great national famine seemed to sweep the people from the face of the earth, and yet the case presented a sufficient motive for the exercise of our national sympathy. How much more appalling and widespread is the evil now appealing to our charity! The people of Venezuela were of a different race, yet they were men, and the appeal came to us, and though connected only by the tie of a common humanity, we interfered for their relief. But who are the sufferers at this time? They are our kindred, bound to us not only by a common humanity, but by a more intimate bond of brotherhood. We are, to a great extent, the descendants of the people of Ireland, the kindred, the offspring, of Irishmen, and every day the tie is strengthened and endeared by emigrants coming to our shores to become one with us. This famine fills the world with the voice of lamentation. Are we not bound as men and Christians to listen and respond? I think we are. So far as the constitutional argument is concerned, with the voice of suffering ringing in my ears, and this precedent before me, I lay down all objections at the feet of charity. But we are under other obligations to incite us to this deed of mercy. Our happy land is crowned with plenty, surpassing in fertility and abundance anything known in the history of nations. Do not these rich blessings lay an obligation on us? "From him to whom much is given, much will be required." We must render obedience to the great law of humanity. It would be strange, indeed, if our Constitution was so fashioned as to interdict the exercise of Christian charity, when the hearts of the people prompt them to offer such assistance as is now proposed. It would look as if the Constitution was set up in

opposition to the commandments of our religion, and laying down rules for the government which repealed the laws of heaven—the law of the King of kings. No sir, no!

Every consideration of high, moral, and political character calls upon us to meet this question in a liberal spirit. There are other incentives almost as strong and as high as those to which I have referred. What will be the influence of such an example? What a spectacle will it be for the people of the world to see one nation holding out her hands full of plenty and pouring joy and consolation into hearts now sick with sorrow and into desolate and famine-stricken homes! Can you imagine any moral spectacle more sublime than this? Hitherto the hands of the nations have been red with each other's blood; national hearts have been without sympathy and without charity. Thank God, it is not so now. Governments have been converted to Christianity and have learned that the great source of human happiness consists in peace and amity among nations. The day is coming when nations will be bound together in a common brotherhood, and war, if not extinguished and forgotten, will be less frequent, and will only arise from overwhelming necessity. There is nothing more noble than to give, to the extent of our ability, both food and raiment to the naked and the hungry. We should be proud of the opportunity. The people everywhere are moved to act generously. From Boston to New Orleans, the heart of the nation is alive and panting with the spirit of charity. The villages emulate the cities in the exhibition of the noblest sympathy with the sufferers. In giving this national bounty, we but follow the impulses of the national heart; we act within the pale of our duty when we undertake this great work; we can do what individual charity cannot do. I would not give the national reputation of such an act for ten times the appropriation proposed. I would not do this with ostentation, but unobtrusively; I would not herald it with the sound of trumpet and call the attention of the world to our charities, but I would have it done effectively. I have introduced a clause to authorize the President to send out a national vessel under a national flag to the British government, carrying the national contribution, a present from the government of a people rejoicing in plenty to another government, whose people are suffering from a national calamity. What a glorious spectacle to see these floating instruments of death,—their decks no longer frowning with implements of destruction, but wafting substantial evidences of a nation's good will to the afflicted! Such exhibitions would mark the onward march of benevolent civilization, brighten the intercourse between nations, and speak the longing aspirations of the people

of all climes for the advent of a holier and happier day. Yes, sir, I would have this offering of our sympathy and fraternal feelings for the generous sons of Erin and Scotia borne to them under our national flag; I would have all the world honor and love and welcome that flag, not only as it is now known, as the flag of valor, but I would broaden its stripes and brighten its stars by making it the welcome messenger of generosity and humanity.

(J. J. Crittenden to A. T. Burnley.)

WASHINGTON, January 8, 1848.

DEAR BURNLEY,—I received your letter of the 12th of last month with the pleasure it always gives me to hear from you. Our friend Duke has been somewhat mistaken in respect to occurrences at Lexington. I have no recollection of saying to Mr. Clay what he supposes me to have said, and what I think I did not say. My sentiments in relation to Mr. Clay, General Taylor, and the Presidency have not been concealed. *I prefer Mr. Clay to all men for the Presidency*; but my conviction, my involuntary conviction, is, that he cannot be elected. That being my belief, I thank God that He has given us, in the person of our noble old friend General Taylor, a man who can be elected, if Mr. Clay cannot. In these few words you may read all my opinions and feelings,—you may read me and the whole subject. I am apprised that the mere fact of my belief that Mr. Clay could not be elected (though expressed only to his friends) has drawn upon me the suspicion and jealousy of some of them. Mr. Clay, I trust, is of too noble a nature to admit of any such feeling, or to doubt the sincerity of my friendship because of my regard for truth and candor. I should consider myself as dishonored—I should consider myself a false and treacherous friend—if I should advise or say that Mr. Clay could be elected when I believe the contrary. Such a course might suit a *flat-terer*—not a friend. My relations with Mr. Clay have been personal and peculiar. I feel myself honored by them, and they are precious to me. I hardly know what sacrifice, consistent with honor, I could refuse to make to them. You may well imagine how much, under all these circumstances, I am constrained and embarrassed. I endeavor to be as prudent and quiet as I can until the present difficulty shall have passed by, as soon it must. I did not till lately believe that Mr. Clay desired to be regarded as a candidate. I knew that he was not even willing to be a candidate except under circumstances which showed clearly that it was the *general* wish of the people, and that his election was certain. It was manifest to me that this state of things had not occurred, and hence I concluded he

would not wish or even consent to be brought forward; but his information and his view of the state of public opinion are different from mine. I have every confidence in him that he will do right when he is rightly informed. He is now at Baltimore, on his way to Washington, and he will have full opportunity here of seeing, hearing, and deciding for himself. Since my arrival in Washington I have not sought, indeed I have rather avoided, inquiry and conversation with members and others on this subject; but I have heard members say, that though Mr. Clay *had* many warm friends among them, they did not believe there was a single one would desire and advise him to become a candidate under present circumstances. General Taylor has some very active, zealous friends among the members, and the almost universal tendency is plainly and strongly towards him. There is evidently a general impression that he is to be the President, and that itself becomes a powerful cause of success. Mr. Clay's oldest and most eminent friends in Congress and out of it, in this part of the country, believe that he cannot be elected, and are, therefore, adverse to his being a candidate. But, for the present, his position in respect to it keeps them in suspense. As soon as they are relieved from that they will be prepared to take an active and energetic part for General Taylor. In the mean time they are all anxious that all excitement and collision between friends of Clay and Taylor should be carefully avoided; that they regard as a primary policy. This is as good a view as I can give you in the limit of a letter (already too long) of the state of things here. Some might suppose that I am inclined to make out a case against Mr. Clay, when I am only endeavoring, at your request, to give you a true and candid statement.

For this and other reasons I desire you to consider this letter confidential, and its contents not to be spoken of in connection with my name. I inclose you a letter for my son in Mexico. It may be a great relief to my brave boy George to know that the President has declined to accept his resignation. He is indebted for this to his gallant conduct displayed in the battles near the city of Mexico. The interest that has been felt and expressed for him by the most eminent men here may well excite his pride and furnish new motives for action. My friend Conrad, formerly one of your Louisiana senators, left here a few days since for New Orleans. He is a good Whig, and a gentleman. I expressed to him the wish that he would become well acquainted and place himself on terms of friendship with Baillie Peyton and yourself. Receive him kindly and with confidence,—he is to be relied on. He has intelligence, honor, and spirit. When you meet him receive him with open hand and

heart, and, if necessary, you may say at my request. There is coming rapidly a *time of great scarcity* of money and great embarrassments in the currency and business of the country. All prominent men here most skilled in finance are of that opinion. Indications and symptoms of its approach are already operating and visible. I pray you to be *warned in season*. Collect your debts; avoid liabilities.

A. T. BURNLEY.

Your friend,

J. J. CRITTENDEN.

Some time in January, Hon. Mr. Foote, of Mississippi, during a debate in the Senate on the Mexican war, charged Mr. Clay with using political arts for the purpose of promoting his pretensions to the Presidency. Mr. Crittenden interrupted him with the following remarks:

Give me one moment, sir. I have had the honor of knowing Mr. Clay, of calling him friend, and being called friend by him for the last twenty-five years. I think I know him, and I can venture to assure my honorable friend from Mississippi that there is no man in this country more incapable of the practice of any ignoble act than he is,—that he would not accept the Presidency at the price of any arts practiced by him.

To his renown the Presidency could add but little; he will adorn a bright page in the history of this country. Then, sir, when the passions and prejudices of party shall be hushed, his will, indeed, be held by all Americans the "*clarum et venerabile nomen*," a name honorable and illustrious, which, combined with the names of his great and distinguished opponents, will, with their blended light, illuminate and illustrate the annals of our country through all time. I regret, then, sir, that, in the course of these animated remarks (and much, I know, escapes us in the heat of debate which we would willingly retract), a passage should have occurred which may, perhaps, be construed more seriously than was intended. I can assure the gentleman that whatever information he may have received to the contrary, Mr. Clay has practiced no art,—neither the art of the mesmerizer, the magnetizer, nor the politician to promote his pretensions to the Presidency. The highest official honors could add but little to his name. Office, in itself, is but an ignoble object of ambition. Mr. Clay has ever had the higher object of serving his country; he is incapable of any art to circumvent, to obtain, any object; he has used no means which the honorable senator from Mississippi, Mr. Foote, would, in the exercise of his nicest judgment, condemn. I make this appeal kindly and respectfully in vindication of a private citizen and my friend now absent, and represented here, however unworthily, by myself.

(Wm. Ballard Preston and others to J. J. Crittenden.)

WASHINGTON, February 28, 1848.

HONORABLE JOHN J. CRITTENDEN,  
SENATOR FROM KENTUCKY.

We have heard this day with regret that you have accepted a nomination from your State as the Whig candidate selected by them for the office of governor of Kentucky. We, the Whig members from Virginia, are deeply distressed that such acceptance will deprive the Senate of the United States of the services of one who has rendered his country such signal and distinguished services in that exalted station. The present is a crisis which demands the experience, wisdom, moderation, and courage which has so long rendered you conspicuous, and now, in your person, commands the confidence and judgment of an immense portion of your countrymen. We therefore request that should it not be wholly incompatible with your own views of public duty, that you would not resign your present station as senator until the great and impending issues which are before the Senate for decision are disposed of. We say to you in sincerity, and in view of the true glory of our common country, that we regard your presence in the Senate of the United States as of the very highest importance.

With sentiments of profound respect and regard, we are your most obedient, humble servants,

WM. BALLARD PRESTON, of Va.,  
W. L. GOGGIN,  
JNO. S. PENDLETON,  
AND. S. FULTON.

It will, perhaps, be remembered that there were two *Allison letters*; they were signed by General Taylor, addressed to his brother-in-law, Captain Allison, and published throughout the country. In September, 1848, Mr. Crittenden received a letter from General Taylor, written at Baton Rouge, in which he says: "In consequence of the intentional misrepresenting of the meaning of several of my letters, or parts of my letters, which have been given to the public by my enemies to prove a want of consistency in my course in regard to the Presidency, particularly one I wrote to Mr. Pringle, of Carolina, accepting the nomination tendered by the Democrats of that city, I deem it necessary, in order to place such matters right before the public, to address a letter to Captain Allison, which you must have seen, and which, I hope, will meet your approbation." This

letter was soon followed by another letter to Captain Allison. The first was greatly discussed, and the last produced a great sensation. It was, in fact, the political platform upon which General Taylor was supported throughout the country, and it was written by Mr. Crittenden. I had heard from several sources that it was written by Mr. Crittenden in the Hon. Alex. H. Stephens's room at Washington. I wrote to him on the subject, and he has given me permission to use his reply as I may think best. I have concluded to publish it, as it contains a history of the affair.

(Hon. Alexander H. Stephens to Mrs. Coleman.)

LIBERTY HALL, CRAWFORDSVILLE, GA., October 13, 1870.

DEAR MRS. COLEMAN,—Your letter was received this morning. I am glad to hear that your work is so nearly finished. General Taylor's *second* Allison letter, I am quite sure, was written, in substance at least, by your father. He, Mr. Toombs, and myself were then living together, occupying one house in Washington. Major Bliss visited us from General Taylor. We were all earnest advocates of General Taylor's nomination for, and election to, the Presidency. It was, upon consultation, thought best, as General Taylor had had but little to do with politics, and was not very conversant with the public measures likely to enter the canvass, that an outline of such issues as should be presented, both for nomination and election, should be prepared and sent to him by Major Bliss for his consideration and announcement, if it met with his approbation. After a thorough understanding and agreement between your father, Mr. Toombs, and myself about all the points proper to be presented in such a paper, *he*, your father, undertook the drafting of it. He did not read it to us when it was finished, but told us the substance of it. Major Bliss set out that night, with the paper, to General Taylor. In a few days this second letter to Major Allison made its appearance in the newspapers. It embodied in substance what had been agreed upon as proper to be said by General Taylor, and what your father told us he had written. This general statement of facts connected with it you may make any use of you may think proper.

Yours most respectfully,

Mrs. ANN MARY COLEMAN,      ALEXANDER H. STEPHENS.  
Baltimore, Maryland.

(J. J. Crittenden to Orlando Brown.)

SENATE-CHAMBER, March 25, 1848.

DEAR ORLANDO,—I was shown, this morning, a letter from a confidential friend of General Taylor, from which I infer that he



was about to write to you a letter intended for publication, expressing, probably, some political opinions, and especially in respect to the policy which we ought to observe towards Mexico, and the indemnity we ought to insist upon. That letter states that he *would* have indemnity, and TERRITORY for indemnity. Though this is the manner in which the letter-writer expressed himself, I am persuaded that General Taylor *would not so* express himself. This is a point in our present politics of exceeding delicacy, and in regard to which there is a great deal of sensitiveness, particularly in the New England States. You will see Mr. Webster's speech published in the *Intelligencer* of this morning, in which he takes such very decided ground against the *acquisition* of territory, or against such acquisition as might form *new States*. I may say that I almost *know* he would not be opposed to the establishment of the Rio Grande, up to New Mexico, as the *boundary of Texas*, and thence (excluding New Mexico) to such a parallel of latitude as would, when pursued to the Pacific, include the harbor of San Francisco. But if General Taylor was to say in general terms that "he *would have indemnity and territory* for indemnity," it might fairly be construed that he meant to include in that indemnity all the expenses of the war, and to *coerce* that indemnity in territory, *regardless* of its *extent*. Such a declaration, on his part, would put him, as you will perceive, into *direct conflict* with the opinions of Mr. Webster and the feelings and prejudices of the New England States,—a position much to be avoided at this crisis. I know that such is not General Taylor's true meaning, and I am persuaded that he has not and will not so express himself in his contemplated letter to you. If, however, he has done so, it was probably the effect of carelessness and inadvertence, and I would advise, by all means, that you write to him on the subject, and return his letter for *revision* before publication. Another reason for this course may be, that when it was written he did not know of our treaty with Mexico. Whatever General Taylor may say in reference to public questions, ought to be, in general terms, relating to *principles* rather than to *measures* and *avoiding details*. His opinions (as I believe them to exist) in regard to a peace with Mexico, might be sufficiently expressed in some such manner as this: That peace between the two republics was greatly to be desired, that the honor of our country had been fully vindicated by our victories, that the fallen condition of Mexico ought to prompt us to magnanimous moderation and forbearance towards her, and make us careful to exact nothing beyond the just measure of her rightful claims, and a satisfactory establishment of a boundary for Texas; that for the satisfaction of those claims we ought to accept, *if* more

convenient and suitable to Mexico, such limited cessions of territory as *might give us* a boundary, including the harbor of San Francisco, without incumbering us with a useless extent of territory, that might embroil us with disturbing questions at home. This would cover the whole case without entering into detail. Out of it, with your *good pen*, you could frame something that would do, and for that *contingent* purpose have I made these suggestions. It is important to General Taylor that all should go smoothly on this subject, so that we may avoid all disadvantage, if it should so turn out that *he*, and not Mr. Clay, should be finally selected as our candidate. Things have been so badly managed among us that, with all *our prudence*, we may find it no easy matter to elect either of them.

Your friend,

J. J. CRITTENDEN.

## CHAPTER XXIII.

1848.

In Senate—Resolutions tendering Congratulations to the People of France by the United States upon the adoption of a Republic—Supreme Court Bill—Letter of Mr. Clay to Mr. Crittenden, 10th of April, 1848, announcing his Intention of being a Candidate for the Presidency—Crittenden's Reply to Clay—Crittenden to his Son George—Dinner to Mr. Crittenden, given in Washington, at the time he left the Senate and became Governor of Kentucky.

IN SENATE, April 6, 1848.

**M**R. CRITTENDEN.—Mr. President, I wish to occupy the attention of the Senate a few moments, rather because I differ from some of my friends than with the expectation of enlightening the Senate. Some gentlemen have supposed that the Senate of the United States have no power to express, and ought not to express, the congratulations of the American people to the French government in the form of this resolution. I do not consider that there is any question of power involved. We express an opinion, a sentiment, that is all. Surely this is a right belonging to every individual. Is the Senate of the United States the only body in Christendom which is to be paralyzed on the occurrence of such scenes,—to stand as a sort of *caput mortuum* in the midst of the civilized world? No, sir; we have a right to do this. It is said that we ought to delay our congratulations, that enough has not yet been accomplished to enable us to pronounce judgment. I concur in that we are not in a condition to pronounce a final judgment; but the question now is, Has not enough occurred to make us rejoice, and offer congratulations to France and to the world? If we are to wait until all the consequences of the revolution are known to congratulate them, when will that time come? The youngest man here will not live to see that day. The consequences for good or ill will extend beyond our time. This is one of the great events of the world, full of mighty consequences to mankind. There is no exaggeration in this thought. It is the greatest movement in civilized and social life which has occurred within our knowledge, one of the signs, and marks, and wonders of the times. It excites the hopes, and fears, and tremulous anxiety of mankind. I have my fears, but my hopes preponderate. This is a mighty work to be accomplished, requiring a degree of virtue, intelligence, and experience which is rare, in

the midst of alarmed Europe. The French have made this great experiment in the midst of hostile crowns and principalities. I hope that the God of truth and liberty will be with them in this mighty trial, and that they are destined to be successful. Whether this revolution is to form the basis, to be the proximate cause, of a great amelioration in the condition of mankind, I know not; I cannot anticipate.

But however that may be, of one thing I am satisfied: its ultimate consequences cannot but be for the good of humanity. Who can say of the French Revolution of 1792, with all its carnage, and tumult, and the terror which it spread throughout the world, that from all that horror and blood good has not accrued to mankind?

The earth and the sea have covered up the victims of that revolution. They are no more; but the great principles of liberty involved in that contest have lived to expand and spread abroad among mankind. A new world of intellect has been opened; a new sense of freedom has been spread throughout the civilized universe. The ideas and principles to which it gave size, though for a time seemingly trampled on by the iron heel of tyranny, *yet live*. So will it be with this revolution. Gentlemen imagine this to be nothing more than a temporary ebullition of popular feeling, and prophesy that it will go down in *crime* and disaster. This may be; but it has already shown to the world the power of public opinion. There is an established government, with its army of a hundred thousand men at the command of the reigning sovereign,—a sovereign who has been firmly seated on the throne of his ancestors for seventeen years, who traces back his royal descent for centuries,—suddenly finding its ramparts broken down, and by what? Not the power of a mob under temporary excitement. No, sir, but by a great and majestic feeling pervading the whole mass of the people. That feeling took from the sword of his army its edge. The *ultima ratio* of kings was here at an end. A moral change was proclaimed by a power which is above all thrones, greater, more exalted, more irresistible, than all their impregnable ramparts and fortifications. The change is strange and grand! The mighty movement of the people, produced by a deep sense of what was due to themselves, is to be applauded. Sir, I congratulate them! France may have to go through many disastrous convulsions before she attains her great aim—the establishment of a system of free government. I wish I could believe that this revolution is to be the proximate cause. I am not confident that it is so; but I have hope. It cannot be otherwise than productive of good. For this we congratulate France, and bid her God speed!

About this time a bill was introduced in the Senate proposing to authorize the judges of the Supreme Court to hold a second term in the course of the year. Mr. Crittenden thought the accumulation of business in the Supreme Court rendered this necessary, and made the following remarks in favor of it:

Mr. Speaker, I shall only occupy the Senate a few moments. I regret that gentlemen have chosen this occasion, so important in itself, for the purpose of debating questions and principles which, according to my judgment, are not included in the subject under consideration. To what purpose is it to debate the question as to the political character of the Supreme Court of the United States—to debate the question whether it was best to appoint the judges in the manner prescribed in our Constitution, or to change that Constitution and make them elective? Where is the necessity of inquiring into the nature and extent of the jurisdiction of the court on this occasion? Where the propriety of inquiring into the individual or collective competency of the judges? This bill does not touch the subject in regard to any principle or question involved in it as a system. It takes the court as it stands, as it is legally and constitutionally established, without change or alteration of its jurisdiction, and simply proposes—what? That because of an inconvenient accumulation of business in the Supreme Court of the United States, rendering it impossible for that court to dispose of the business in less than two or three years, a remedy should be applied to obviate the evil. And what is the remedy? The bill simply proposes to authorize the judges of the Supreme Court to hold a second term in the course of the year besides that to which they are now limited. Now, what principle is involved in this? If I understand the arguments which have any application to this subject, gentlemen would have no objection to this measure if they did not apprehend that it was intended as a wedge—the commencement, as they express it—of another system, having for its object the suspension of the judges of the Supreme Court from all duty in the Circuit Courts, confining them solely to their duties in the Supreme Court. They imagine this, and refuse to apply the proposed remedy for an acknowledged ill.

They speak of the danger of the remedy! Let us examine it. The bill provides for a single year. According to existing laws the next term of the Supreme Court will commence on the first Monday in December next. We are now in the first week of April; four months of the year have expired. The three corresponding months of the next year will be occupied by the

court in the transactions of its business, so that the whole peril of the proposed measure lies in the compass of eight months. But, forsooth, if we *indulge* the Supreme Court (for gentlemen seem to regard it as an indulgence) by granting them permission to come here and dispatch the business of the court in that period, great danger is to arise, a new system is to grow up, a new principle is to be evolved, which is to relieve the judges of the Supreme Court from all other duties except those belonging to the Supreme Court, and other serious political consequences will result. I apprehend no such evil. There is not a senator here, so far as I can judge from the opinions that I have heard expressed, who is willing to change the present system so far as to separate the judges from the Circuit Court and limit them to the Supreme Court. The Senate, then, has the issue and consequences in its hands, and, I ask, what solid ground is there for apprehension? Is there any danger that the senator from Arkansas will be, even in these revolutionary times, so perfectly revolutionized in his opinions as to come back prepared to reverse all his opinions which he has expressed to-day. Why, sir, are we afraid of ourselves? It is supposed that this is a bill for the relief of the Supreme Court. Relieve them from what? It relieves them by requiring them to hold a term of the Supreme Court and discharge all the arduous duties of their office. Are these labors less expensive to them than traveling on their circuits would be? I apprehend not. But relief, it is obvious, is not the purpose of this bill. The honorable senator is apprehensive that some cases may not be tried according to law; that some admiralty cases may be delayed to the tremendous and incalculable detriment of all parties; and we hear also of appeals to the Circuit Courts. Now, litigation may be infinitely more active in the part of the country where the honorable senator practices his profession so much more profitably than I do; but in my section of the country there has not been in twenty years twenty cases of appeal from the District to the Circuit Courts.

As to the Spanish pirates, the gentleman will agree with me that our entire coast is free from such pestilence. The keeping a felon out of the penitentiary for a few months is the only possible contingency that may occur. Such a case may occur. Some petty robber of your mails, or something of that sort. It seems to me that the honorable senator's mind is a little fevered on this subject; that he does not view it with calmness and discretion, which usually characterize his labors as chairman of the Committee on the Judiciary. I apprehend that he has allowed his mind to run off from the consideration of the particular subject before it to other questions not at all involved in it. His

mind is evidently prejudiced. He apprehends that the judges, consulting their own experience, had suggested this bill as a proper remedy for the existing evil, and that *that* is a sort of Nazareth from *which* no good can come. But, *as* my friend from New Jersey has said, who so well qualified to suggest a remedy as the judges of the courts? I do not know that they have suggested this plan; but admitting it, I desire no prejudice against the measure on that account. The judges are competent. I desire the decision of the Senate,—to their judgment I shall bow with all the deference to which it is entitled.

(Henry Clay to J. J. Crittenden.)

ASHLAND, April 10, 1848.

MY DEAR SIR,—I transmit you inclosed a copy of a note, the publication of which I have authorized.

I can add nothing to the reasons which it assigns for the course which I have finally felt it my duty to adopt, but I shall be most happy if they meet with concurrence of your judgment.

I am faithfully your friend,

The Hon. J. J. CRITTENDEN.

H. CLAY.

(J. J. Crittenden to Henry Clay.)

WASHINGTON, May 4, 1848.

MY DEAR SIR,—I had the pleasure to receive your letter, inclosing to me a printed copy of your published note of the 10th of the last month, announcing your course and determination in respect to the ensuing presidential election. I hope it may turn out for the best; *but* you are apprised of my opinions and apprehensions on the subject, and though so much less competent than yourself to judge, I must confess that I still retain the same impressions. It has all along seemed to me that there was not that *certainty* of success which alone could warrant your friends in again presenting your name as a candidate. The whole subject of the presidential election is becoming more and more perplexed. General Taylor's two letters of the 20th and 22d of the last month, which you will have seen, have reached here. No certain judgment, I suppose, can yet be formed of their effect. The public press has not been heard on the subject. I have conversed with but few about it. I understand that these letters have produced considerable sensation here, that of the 22d being entirely satisfactory and mitigating, to a great extent, the discontent produced by that of the 20th. The declaration contained in the latter, "that he would not withdraw from the canvass even if yourself or any other was nominated by the national convention," was received here with great surprise, and though not inconsistent with the grounds taken in his previously published letters, it seemed to

give quite a shock to the Whigs. It was regretted by us all. What will be the result of the position thus taken by General Taylor I am at a loss to conjecture. It makes the future still more impenetrable and dark, and I cannot contemplate it without despondency. General Scott, as I learn, begins to be much spoken of as a candidate, and his friends are said to be making preparations to press and sustain him strongly in the national convention. I know nothing of the extent of these preparations or of the grounds on which his friends rest their confidence. So far as I can see or judge, it appears to me that the general can have no great strength of his own in the convention, and that his nomination can only take place (if at all) in consequence of the conflict of other interests.

Upon the whole, it seems to me that the political prospects before us present only a troubled scene, from the contemplation of which we can derive no pleasure.

That you may be saved from, or pass through, that scene in safety and honor is the sincere wish of your friend,

J. J. CRITTENDEN.\*

Hon. HENRY CLAY.

(J. J. Crittenden to his son George B. Crittenden.)

SENATE-CHAMBER, April 14, 1848.

MY DEAR GEORGE,—Before this reaches you, I hope you will have received your commission as major of your regiment, which I sent you through the State Department, addressed to General Butler. I have also the great satisfaction to inform you that in a long list of brevet nominations for distinguished services lately made by the President, you have the honor of being *breveted* as major. These nominations have not yet been acted on by the Senate, but will doubtless be confirmed. I can hardly express, my dear son, the gratification I feel at these honors won and obtained by you. You have won them fairly; take care and *wear* them worthily. I am *honored in my sons*. Their *honors are mine*, and as dear to me as life. To enjoy them fully I must feel secure in them. I have not yet received a line from you. I have looked long and anxiously for a letter. We are looking anxiously for news from Mexico,—for intelligence from our commissioners, Sevier and Clifford. May it be news of peace, and may that peace soon restore you to us. You

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\* *This* is supposed to be the last letter ever addressed by Mr. Crittenden to Mr. Clay. Circumstances growing out of General Taylor's nomination and election produced an alienation between them. During Mr. Clay's last illness there was a cordial reconciliation, and Mr. Clay expressed to his son Thomas, on his death-bed, the warmest affection for Mr. C., and his approbation of his course throughout. I am indebted to the kindness of Mrs. James Clay for this and other letters of Mr. Crittenden to Mr. Clay.



may not have heard that I was lately nominated as candidate for governor of Kentucky. I was *constrained* to accept it, and shall return to Kentucky in the early part of June.

Farewell, my dear son.

J. J. CRITTENDEN.

Major G. B. CRITTENDEN.

A public dinner was tendered to Mr. Crittenden on the occasion of his retirement from the Senate, by a large number of his friends in Congress and a number of the citizens of the District. This compliment may be said to have been impromptu. Almost every member of the Senate in the city, and a large number of the members of the House of Representatives, without distinction of party, united in the invitation.

No similar mark of respect was, perhaps, ever offered to any public man with more readiness and sincerity. The dinner was given at the National Hotel, Mr. Senator Mangum presiding, assisted by the Hon. J. S. Pendleton and the Hon. Robert Toombs, of the House of Representatives. The toast to Mr. Crittenden, expressive of affectionate respect and warm admiration, was responded to by him in eloquent and affecting terms. The following is the correspondence which preceded the banquet:

WASHINGTON, June 12, 1848.

TO THE HON. J. J. CRITTENDEN.

The undersigned, a few of the many friends whom you have made in the course of your distinguished career as a public man, having heard that you were about to leave Washington immediately, in obedience to the call of the great State which has honored you so long, and in honoring you has so much honored herself, beg that you will remain long enough to receive at their hands a slight testimony of their confidence, respect, and esteem, and they will also add, of their sincere regret that any circumstances should at this time make it necessary that you retire from a "theatre" on which you have enacted, and by all the qualifications of a statesman and a patriot are able to enact, so useful and so eminent a part. They purpose that you will remain long enough to dine with them on such a day and at such an hour as may suit your convenience.

D. WEBSTER,  
W. P. MANGUM,  
W. L. DAYTON,  
J. M. MASON,

A. P. BAGBY,  
SYDNEY BREESE,  
A. FELCH,  
D. S. YULEE,

A. C. GREENE,  
JOHN BELL,  
WM. UPHAM,  
J. C. CALHOUN,

S. M. DOWNS,	C. G. ATHERTON,	JEFFERSON DAVIS,
D. W. LEWIS,	J. McP. BERRIEN,	SIMON CAMERON,
H. JOHNSON,	THOS. CORWIN,	JOHN A. DIX,
J. A. PEARCE,	REVERDY JOHNSON,	D. S. DICKINSON,
J. R. UNDERWOOD,	THOMAS J. RUSH,	J. D. WESTCOTT,
SOLON BORLAND,	A. P. BUTLER,	W. K. SEBASTIAN,
J. M. NILES,	R. M. T. HUNTER,	D. R. ATKINSON,

On the part of the Senate.

J. S. PENDLETON,	M. P. GENTRY,	E. B. HOLMES,
R. TOOMBS,	JOHN FREEDLY,	W. HUNT,
W. B. PRESTON,	J. E. HOLMES,	T. BUTLER KING,
R. W. THOMPSON,	JOHN STROHM,	E. EMBREE,
GEORGE G. DUNN,	G. N. ECKERT,	D. M. BARRINGER,
T. S. FLOURNOY,	E. THERRILL,	DANIEL DUNCAN,
P. T. SYLVESTER,	J. COLLAMER,	R. C. CANBY,
J. W. HOUSTON,	JOHN DICKEY,	M. HAMPTON,
E. C. CABELL,	JOHN CROZIER,	O. KELLOGG,
GREEN ADAMS,	J. G. HAMPTON,	T. L. CLINGMAN,
JAMES POLLOCK,	L. C. SEVIER,	JOHN W. JONES,
T. A. TALMADGE,	A. STEWART,	CALEB B. SMITH,
TH. P. CAMPBELL,	A. H. STEPHENS,	SAMUEL F. VINTON,
GEORGE ASHMUN,	J. R. INGERSOLL,	J. W. FARRELLY,
R. C. WINTHROP,	AYLETT BUCKNER,	W. NELSON,
J. B. THOMPSON,	D. RUMSEY,	D. B. ST. JOHN,
W. DUER,	P. W. THOMPSON,	JOSEPH GRINNELL,
A. S. FULTON,	W. L. GOGGIN,	JOHN GAYLE,
R. C. SCHENCK,	GARNETT DUNCAN,	A. LINCOLN,
J. C. ROMAN,	J. W. CRISFIELD,	C. S. MOREHEAD,
W. T. LAWRENCE,	B. G. THIBODEAUX,	JOHN L. TAYLOR,
JOHN BLANCHARD,	WILLIAM COCKE,	

On the part of the House of Representatives.

W. W. SEATON,	W. H. ASPINWALL,	G. C. WASHINGTON,
JOHN CARTER,	W. A. PARKER,	JOHN E. SHELL,
HENRY CHAUNCY,	R. C. WEIGHTMAN,	D. F. SLAUGHTER,
DAN. F. DELANEY,	M. ST. CLAIR CLARKE,	T. L. SMITH,
	CHARLES MORGAN,	

Citizens of Washington.

(Mr. Crittenden's Reply.)

SENATE, June 12, 1848.

GENTLEMEN,—I have received your most kind letter and invitation of this day's date, in which you are pleased to express your regret at my intended resignation of my seat in the Senate of the United States, and request that I would postpone my departure from Washington "long enough to dine with you on such a day and at such an hour as will suit my convenience."

This most unexpected mark of your kindness and regard does me too much honor. Your commendation, gentlemen, is praise indeed; it is far, I know, beyond any merit of mine. But yet I take it to my heart as a testimony of your personal regard; I will treasure it as a most precious treasure, and it will grow in my memory as long as memory shall last.

I have no language in which to make you suitable acknowledgments. I will only ask you to believe that I receive this testimony of your "confidence, respect, and esteem" with a heart full of feeling, which I know not how to express.

I have only to add that I accept with pleasure the invitation to dine with you. The necessity of my speedy departure from the city obliges me to name to-morrow.

I have the honor to be, with great respect, your obedient servant,

J. J. CRITTENDEN.

TO DAN. WEBSTER and others of the Senate; Hon. J. S. PENDLETON and others of the House of Representatives; W. W. SEATON and others of the citizens of Washington.

## CHAPTER XXIV.

1848.

Great Whig Meeting at Pittsburg—Crittenden's Speech—Letter of Tom Clay—Letter of General Taylor to Crittenden from New Orleans—Crittenden's canvassing for Office of Governor—Debate with Powell—Letter to Orlando Brown.

(From the Weekly Commercial Journal of Pittsburg, June 24, 1848.)

**I**T having been announced that Mr. Crittenden would address our citizens last night, a large yard in the rear of the hotel was crowded at an early hour to its utmost capacity.

Mr. Crittenden appeared upon the platform and was greeted with loud applause. Mr. Forward rose and said he had great pleasure in introducing to the meeting the Hon. J. J. Crittenden, of Kentucky. (Loud and continuous applause.) From the prominent part which this eloquent and able gentleman had taken in the advocacy of interests especially near to us, his name has become as familiar to us as household words.

After Mr. Forward sat down, the cries for Crittenden! Crittenden! were absolutely deafening, and when he rose the welkin rang with shouts and cheers.

Mr. Crittenden said he wished he could address the meeting in a style to justify the highly complimentary introduction he had received from Mr. Forward, or that he was as well able to instruct and entertain his fellow-citizens as that distinguished gentleman. "Could I address you with his ability, the utmost measure of my ability would be filled. Fellow-citizens, I hope no one will believe me guilty of the presumption of desiring the people of this great city to be called together for the purpose of hearing an address from me. I received an invitation by telegraph, and promised Hampton I would be here.

"The great topic now agitating the public mind is that relative to the presidential question. The chief executive magistrate of this Union occupies a position which extends over the whole country and into all the departments of government. The two great parties have met in convention and selected their candidates and made their nominations. The Whig Convention has nominated General Zachary Taylor. Preceding this nomination there existed, as there always will upon such occasions, great difference of opinion among the Whigs as to who should

be their candidate. It was not possible that the wishes of all could be gratified; but the convention was composed of delegates from all sections of the Union; they compared their opinions, and General Taylor's nomination was the result of the free and full interchange of their views. The only virtue these conventions can have is to unite us. The National Whig Convention of Philadelphia has nominated General Zachary Taylor for President of the United States, and he is presented to us as our candidate by all the forms known to us in such cases. I now propose to examine somewhat into the qualifications of General Taylor for this high office, and the *traits* which recommend him for it. In the first place, I know General Taylor personally. What objection can be made to him? What objection is made to him by his opponents? I have heard no impeachment of his character as a soldier or a man; but his qualifications for the office of President have been called in question. I do not myself think that mere military talents and renown qualify a man for exalted civil stations any more than I think that great civil talents qualify a man to command an army. It is sometimes the case, however, that those who wield the sword bravely in the defense of their country are also endowed with the qualifications of statesmen, learned in civil duties, and submissive to the Constitution and laws of their country. What is the foundation of the belief that the possession of high intellectual powers is the great qualification necessary for an aspirant to the presidential office? After all, the heart of a man is the best qualification,—a heart that is honest and faithful. Gratitude will keep such a heart in the right path, and under the rule of such a man we could not be in danger. None of our Presidents have ever failed through want of intellect. The failure of our administrations (where they have failed) have been through want of heart, and not of head. A man with a sound American heart and a good common understanding is what is wanted, and with such we are secure against treachery and danger. An honest man is needed, and honest men are not so scarce as is sometimes supposed. We have an anecdote of an old philosopher who, when asked why he walked in daylight with a torch, replied, that he was searching for an honest man. Well, gentlemen, I think the people of the United States have found what the old philosopher searched for,—they have found an honest man in Zachary Taylor. They have not needed to carry a torch to find him,—his character is a torch, lighting up and showing an honest man. That torch flames so high that all the world can see it, and the earth and the heavens are filled with its light. A word as to General Taylor's political principles, and to the attempts of politicians to investigate his character. No man

was more universally recognized as a Whig among his personal acquaintances than General Taylor. I know him to be a Whig. He has said (and if there is a man living who would not tell a falsehood that man is General Taylor), 'I am a Whig, but not an ultra Whig!' If he had been near a place of election in 1844 he would have voted for Mr. Clay. This brave man has spent his life in camp,—in distant places,—where the service of his country called him. He has kept his mind free from the bitter animosities of a party politician. While actuated by all the leading Whig principles, he has no unkind feelings towards those who differ with him. *Whigs* and *Democrats* have fought under his orders side by side,—equally fighting, shedding their blood, and conquering under him. How could it be possible for him to regard the one with less favor than the other? How can General Taylor give place to any of those little animosities of the petty politician? How could the old hero be bound by paltry party ligaments, inducing him to favor one more than another of those who fought under him, bled under him, and to whom their old general is alike the object of obedience and affection? This, my fellow-citizens, is the school of General Taylor's politics. 'I have seen Whig and Democrat bleed together in the cause of their country,' said General Taylor; 'and if I am President I will proscribe no man. I would as soon turn my back upon a friend or run from a Mexican as proscribe any man for an honest difference of opinion.' General Taylor, though he took no degree in college, is a reading man; he is familiar with history, ancient and modern; he is a student of Plutarch,—he is one of Plutarch's men! In worth, in modesty, he is equal to any of Plutarch's heroes, and as an American I am proud to proclaim it, and to claim him as my countryman!

"When General Taylor commanded the army in Texas, he was ordered to advance to the western boundary of Texas. The honest old soldier had sense enough to perceive that it was not his business to decide as to where this line lay, and he made the cabinet tell him that which they had not distinctly decided among themselves. When asked by the cabinet to take a position on the Rio Grande, he did so, and commenced the campaign. Let any one who doubts General Taylor's capacity examine the history of this campaign, and let him say if he can discover one solitary fault, one thing which was omitted, but which ought to have been done, or one thing done which ought to have been omitted.

"The government—never friendly to him—had found fault with him for the capitulation of Monterey; but the officer who carried him the reproof of the War Department has said that,

as a military man, he would have preferred the honor of that capitulation to the glory of General Taylor's previous victories. This officer was Major Graham, one of the most accomplished men in the American army. Major Graham carried the rebuke of the War Department, composed in the midst of peace, safety, and luxury in the White House, to the brave old soldier who was fighting in the mountains of Mexico. Graham says he watched the old man's countenance as he read the letter: no sign of anger or emotion was visible. After reading it calmly, he said, 'I am sorry my conduct has not met the approbation of the President, and that the government condemns my course.' 'General,' said Graham, 'the people do not condemn you.' 'I would have taken Monterey,' said General Taylor, 'with a high and bloody hand, but it would have cost me the lives of five hundred more of my men. I did not care about the Mexicans; I could whip them at any time; what I wanted was the town. The President does not understand the matter, or the reasons for my conduct. I had my cannon and my supplies to bring up, and my lines of communication to establish and secure. While I affected to grant the enemy time, I was really securing it for myself.' This is the only objection I have heard against General Taylor; and public opinion and military critics have long since decided that in his favor. (A voice from the crowd, "I know another objection: he never knows when he is whipped.") I think you are mistaken there, too, my friend. General Taylor has never been whipped, and I don't think he will live long enough ever to be whipped.

"To command an army of ten thousand men in a foreign country, scattered over a large space, requires talents and genius. General Taylor has done this successfully, and I think we may fairly conclude he has the ability necessary to be our President. General Gibson, of Washington, told me a circumstance relating to General Taylor which is well worth repeating. You all know General Gibson; at least you all ought to know him. A Pennsylvanian, he is not only an honor to his State but to the Union. I have passed through times in Washington when almost everybody's integrity was questioned, but in all times General Gibson's name stood crowned for truth and honesty. Well, speaking of General Taylor, he said to me, 'I know him well; we were in the same regiment; I was one grade above him, and so we kept on in the service together, the promotions of one keeping pace with the promotions of the other. We have served together on nineteen courts-martial, and we always selected Taylor to draw up the opinion of the court and the report of the proceedings; he was the best writer among us!' By a rare combination General Taylor is not only

a conqueror in war, but he is eminently a friend of peace. Said he, 'If I could restore peace to my country, and put an end to this bloody war, I would go with pride and pleasure to my farm and spend the balance of my life in retirement.' A warrior, a hero in the hour of battle, when the battle is over this lion becomes a lamb. Not only in America, but in Europe, has he established our fame as a warlike and martial people, and yet he is always the advocate of peace. His soldiers love him—all love him; and the military critic, when in looking over all his campaigns, cannot point to a single error of commission or omission.

"In all his career, so far as I am informed, General Taylor never put his hand to a death-warrant of a soldier for execution under military law; he rules his army by affection, and not through fear. How great must be the satisfaction of the brave old man, when he reflects, The enemies of my country fall before me, but my hand is free from the blood of any of my fellow-citizens!

"A remarkable instance of his reluctance to sentence men to death is related of him as occurring after the battle of Buena Vista. When the battle was over, two deserters were brought to him who had been taken fighting among the Mexicans. One might suppose that in such a case he might be expected to give way to feelings of vengeance. Between five and six hundred of his soldiers lay bleeding on the earth; but the battle was over; he thought there had been enough blood shed. The thirst of conflict was over, and the feelings of humanity prevailed. If acknowledged as deserters, these men must be put to death; but Taylor could not do this. 'No, no,' said he, 'these men were never my soldiers; they never belonged to my army; drive them back again to the Mexicans, to the tune of the Rogue's March!' (Loud laughter and great applause.)

"No man ever questioned Taylor's honesty. A short time since General Twiggs said to me, 'There is not a man in the world who can look five minutes in Taylor's face and make a dishonest proposition to him.' A private soldier in the army would refer a difficulty with a major-general to General Taylor with the certainty that he would receive from old Zack the most absolute justice."

After a few words descriptive of the battle of Buena Vista, Mr. Crittenden proceeded to say: "I mean no disparagement to any other general in the army,—many of them are great men; but I do not believe there is another officer in the army who could have fought that battle; or, if so, who could have won it. (Loud and continued applause.)

"And now, since he has returned home, I hear nothing of him



except his going up and down the river visiting his friends. Why, there can't be a wedding in the neighborhood without his being present. (Loud laughter and applause.) They follow him about like chickens. He moves about talking to the farmers, for he is as good a farmer as any of them; and if he should visit Pennsylvania, although he could no doubt learn something from you, he would not fail to give you also some instruction.

"General Taylor's habits are of the simplest kind. His fare was only that of the common soldier; so that no man could say he endured more than his general. No general in the American army was ever so loved, so obeyed, so fought for; no sentry, no guard, was around his tent; any private soldier might enter it, and if the general was not occupied he would sit down and talk kindly with him about his family and home. During all the months of his service in Mexico he never slept in a house,—the tent was his home, in the midst of his men. There is a soldier for you; there is a citizen for you.

"And this man,—so pure, so plain, so upright,—as ready with a tear for the sorrows of a friend as with a blow for an enemy, would he not make a real, genuine, old-fashioned Democratic President? ("Yes, yes;" and loud applause.) Not a spurious, partisan Democrat, but a real Democrat? Would not his election be a new light over our fading Democracy? Do you not think, my friends, that our Democracy has been falling to the rear a little in the sere and yellow leaf? Have not abuses crept in, from the long continuance of power in the same hands? I make no allusion to any individual. Are we not gradually getting into our government too many little aristocratic notions? (A voice, "It all comes of the loaves and fishes.") Yes, my friends, there is a good deal in that, too. One set of Presidents have held power a long time,—I mean a set of Presidents professing the same political principles,—and in this long continuance of power in the same hands abuses must have crept in. But, my fellow-citizens, I have already detained you too long, and I must now conclude."

Mr. Crittenden was about taking his seat when he was prevented by a perfect tempest of shouts, "Go on—go on—go on! give us a little more grape," etc.

"Well, my countrymen, I will make a few more remarks, but they must be brief. I wish to say a word on one subject in regard to which there is a good deal of feeling in this section of the country. It is objected to General Taylor that he is a Southern man and a slaveholder. Why are these local distinctions made? I am a Kentuckian, but I thank God I can take you Pennsylvanians by the hand and call you brother. Separated by State boundaries, under different State govern-

ments, there is still a bond of union,—the Constitution of the United States, which binds us all into one great country. I am proud and thankful to call you all my countrymen. Providence never allotted to any other people such a country as ours. Rome, when she had desolated half the world, and tinged every streamlet and river with blood in her career of conquest, never possessed half the power that you possess or will possess. That power is for extending liberty to millions yet unborn, and your influence to every portion of the inhabited world. If we but hold together—this and greater will be our lot—we will go on increasing to incomprehensible, indescribable greatness. Over all this wide domain, stretching from the Pacific, four thousand miles distant from us, to the shores of the Atlantic, we are, and can be, one great people, speaking the same language, and governed by the same laws. I know not for what purpose we may be reserved, but so far our progress has been unexampled in the history of the world. Let us not, then, speak of a Northern man, a man from the Middle States, or a Southern man,—what matter where he is from so he is *the man* to serve our purposes and work out our destiny? We are none of us Kentuckians, none of us Pennsylvanians, we are all Americans! (Loud cheers.)

“General Taylor is called a Southern man. Well, in Kentucky, we call ourselves Western men. Let us inquire where General Taylor has passed his life,—in the South, in the North, in the West. For forty years he has lived in his tent, for forty years he has been covered by the glorious stars and stripes. Is not this answer sufficient to silence all those objections? He has lived where his country's interests called him, and is he now to be questioned as to where he comes from? (Applause, “Hurrah for old Zack!”) General Taylor has said, I will proscribe no man for difference of opinion: which of you, who now hear me, will proscribe him?

“Will you proscribe him,—the gallant, warm-hearted, kind, truthful old soldier, the great warrior, the kind neighbor, the skillful general, the good husband, the good father, and good citizen? Will you proscribe him, the indulgent master whose slaves are always most happy when his duties allow him to return among them? (“No—no—no!”) I have always supposed you Pennsylvanians to be particularly susceptible to the claims of high military qualities. I saw it in the days of Jackson. I have remarked it on many other occasions. I have a sort of superstitious belief about me, a certainty, I may say, that when General Taylor's character and achievements shall be known among you, a generous enthusiasm in his favor will sweep your State from the Delaware to your utmost mountains. (Continued applause.)

A voice, "What about Fillmore?"

"I know him well. He is an excellent man, and man of great ability, honesty, and sound principles; he aided materially in the construction of that bill of which you Pennsylvanians think so much,—the tariff of 1842.

"I have dwelt but little on the politics of General Taylor, but there is one subject of which I will speak, as it touches closely your interests here. You, my friends, may be called the Spartans of America. The old Lycurgus, in order to prevent luxury and avarice among his Spartans, made iron money their circulating medium. You in Pittsburg, by your enterprise and industry, have done the same thing. You are workers in iron, and you have made your iron money. If in your business you need some little aid, some little protection from your government, and Congress shall pass a law giving it to you, it will receive no obstruction from General Taylor's veto.

"I will add one more remark, gentlemen. If the tariff laws do not afford sufficient protection for you, they soon will. There is no evil without some good accompanying it, and even this evil of one hundred and eighty-five millions of debt growing out of the war with Mexico will result in some good. To meet this debt, the taxes on importations must be exorbitant, and the tariff, of course, increased. Providence has given us great advantages, and I see not why they should not be used for the benefit of our own people. Is it not lawful for us to enjoy these advantages? In Europe, with its crowded population, industry is enslaved; with us, industry confers independence and wealth. If we throw open our doors to foreigners, sleep with them, and make them as our own countrymen, is it not lawful for us to protect ourselves against the pauper labor of the old world? It is surely the duty of each nation to protect its own citizens, and the world is best managed when this system is most closely adhered to. General Taylor says that he thinks all this legislation should be left to Congress. When Congress passes a tariff law it is not the business of the President to veto it. If you elect old Zack President,—and we are bound to do it,—you will have an honest, humane man. And you can point him out the old world, ruled over by kings, some of them almost idiots, others despots, and say, Here is a *man!* look upon our President,—a man whom you cannot buy, whom you cannot sell, whom you cannot scare, and who never surrenders!"

When Mr. Crittenden sat down, the cheering was tremendous. Three cheers were given for John J. Crittenden with a will which made the mountains ring.

(Thomas H. Clay to J. J. Crittenden.)

MANSFIELD, June 24, 1858.

MY DEAR CRITTENDEN,—I received on yesterday a copy of your speech, delivered in the Senate of the United States, corrected by yourself, on Kansas and the Lecompton question, which you did me the honor to inclose to me.

It was my intention to have written to you before this to express to you my thanks and gratitude for the able, patriotic, and conservative course you pursued during the late session of Congress; not that the opinions of as humble an individual as myself could avail you anything, but I thought that a proper veneration for my father's memory demanded this from me. I am satisfied, as you observed in your speech on last Monday evening, that, had he been living, he would have pursued a course similar to that which you adopted.

Why should you regard the denunciations of the Southern Democratic press? Was not he, throughout his career, assailed by it with the charge of abolitionism? When did public virtue and patriotism ever escape its detractions?

If the Black Republican party eschews sectional issues, and have become national and conservative in their action, whilst the Democratic administration manifests itself as corrupt and imbecile, why should not all true Americans unite with it to cleanse the Augean stable at Washington, and to purify the country from this baleful influence?

With my best wishes for your continued health, and with the highest regard,

I am truly your friend,

The Hon. J. J. CRITTENDEN.

THOS. H. CLAY.

(General Zachary Taylor to J. J. Crittenden.)

NEW ORLEANS, July 1, 1848.

MY DEAR SIR,—Your highly esteemed and interesting letter of the 11th ult., in relation to my nomination as a candidate for the Presidency at the coming election, by the National Whig Convention, which recently assembled in Philadelphia, reached me a short time previous to my leaving Baton Rouge for this place. However much I might have felt gratified, which was not a little, at the distinguished honor done me by that talented, pure, and patriotic body, yet, when I first received information of my nomination, I must say that I felt nothing like pride or exultation at the same, which may be owing to my reluctance in embarking in the canvass and doubts as to the propriety of my going into the high office in question, which seem to grow

stronger as the time approaches when it is possible I may have to do so. Perhaps another cause may have operated on me in connection with the above, which is on account of Mr. Clay's feelings of disappointment and even mortification at the course matters and things took, and resulted, in the convention, which, from his age and temperament, I fear he will not bear with the greatest philosophy, or even with that resignation and magnanimity which should be displayed on such occasions. But, I hope for the best. Without regard to my personal wishes or pretensions to the high office in question (for which I have none), I very much regretted Mr. Clay permitted his name to be brought before the country as a candidate for the Presidency, which, I make no doubt, he was overpersuaded to do by many false friends; but as he did so, if there had been anything like a certainty in his being elected, I would have been much more elated on hearing of his nomination than I felt when my own was communicated to me, or since then, notwithstanding the warm congratulations I have received on my success from many warm friends,—yourself among the number,—which was greatly enhanced in value by the regret you felt at the defeat of an old and dear friend. If I could place him in the presidential chair, on the 4th of March, 1849, I would gladly do so. At the same time, I deem his election, even had he been the nominee of the convention, entirely out of the question; nor do I believe his real friends, on that account, wished to have seen him again in the field, as they were satisfied, had that been the case, it would have resulted in saddling the present party in power on the country for another term of four years, and, in all likelihood, until our institutions were utterly destroyed, or nothing left of them but their name. In that light I must view them should the nominee of the Baltimore Convention be elected, which is not unlikely will be the case. But the Whigs must contest that matter to the utmost, and if our fair fabric of government is to be pulled down and destroyed, they, the Whigs, must do all they can to prevent it. The question by the convention was not who ought to be elected, but what Whig could be elected and arrest the downward tendency of our institutions. I have not language to express in appropriate terms the distinguished and high compliment done me, more especially for the manner in which it was paid by that enlightened assembly, in which there were so many fathers of the land. That they should, in a state of high party times like the present, growing out of the management of our national affairs, have nominated me, an humble individual, personally unknown to but few of them, as a suitable candidate for the highest office in the gift of a great and free people, and, in fact, to rule over them, is an honor I

did not expect or deserve, and for which I felt, when notified of the same, more grateful and elated than I know I shall do, even if the good people of the country should carry out what the convention has recommended by placing me in the presidential chair,—an honor I shall never forget, for which I am truly grateful, and which I will try to continue to deserve. I have not yet received official information of my nomination by the convention, but expect daily to do so. When I do, I trust my letter of acceptance will meet the approbation of my friends.

Previous to the receipt of your letter, I had a conversation with a very discreet friend in regard to the nature of my reply in acknowledging the receipt of the communication informing me of my nomination, and it was thought best to make it *very brief*, barely referring to the high honor done me without attempting to define my position, leaving that to be judged by what I had already written. It was with great pleasure I learned that you coincided in this opinion. I have never intimated my intentions to retire at the end of four years, should I be elected to that office; nor shall I do so, but will leave the subject to future consideration, although there is but little doubt I would gladly retire at that time to private life. I have never intimated who would form my cabinet; it will be time enough to do so after I am elected. I have said more to you on the subject than I have to any one else; indeed, I have but in one instance alluded to it, to Colonel Davis of the Senate before he left Mexico, and only to him that, in the event of my election to the Presidency (which I did not then expect), my cabinet would be composed entirely of Whigs. That I will be visited by many designing individuals to draw from me expressions by which they can assail me, as well as others who will write to me under the mask of friendship to draw from me some opinions which they hope to use to my injury, there can be no doubt. Such I hope to disappoint, as I will be as cautious as possible with all such persons and everything connected with them. There is a certain class which neither vigilance nor prudence can guard against, therefore they must be *endured*,—such as a celebrated Doctor B., who repeats conversations which he says occurred between us without ever having seen me, made up without the slightest regard to truth, but whose high character for veracity was vouched for upon the floor of the House by such men as Brown, of Mississippi, McClelland, of Illinois, and Henly, of Indiana. Things in this respect must take their course, and we must make the best of them. I came to New Orleans to meet the volunteers who are rapidly arriving from Mexico. I am happy to say they are, for the most part, in excellent health and spirits, being delighted at the prospect of returning to their

families. The Kentucky regiments have not yet reached here. I hope they will do so before I shall be under the necessity of leaving the city. I am very desirous of seeing them, particularly my friend and cousin, your son Thomas, who, from last accounts, was in excellent health, which, I hope, he will long continue to enjoy. While I regret your having to quit the Senate to canvass the State of Kentucky for the office of chief magistrate, I sincerely hope you will conduct the same in a way calculated to improve, instead of injuring, your health. Your life is of too much importance to your friends, family, and country to be endangered. Having recently been assigned to the command of this division of the army, I deem it most consistent with my position to enter quietly on my duties, remaining in this section of the country until after the election, leaving it to my friends to attend to my political affairs, in whose hands I consider them safe; at any rate, I am willing to abide the issue, and most cheerfully acquiesce in the result.

Wishing you and your family health and prosperity through a long life, I remain with high consideration of respect and esteem. Say to Mr. O. Brown that I have profited not a little by his judicious advice; it *is not* and will not be forgotten. Interruptions are frequent,—I scarcely know what I have written.

Your friend, truly and sincerely,

ZACHARY TAYLOR.

Hon. J. J. CRITTENDEN.

In 1848, Mr. Crittenden, in obedience to the wishes of the Whig party, resigned his seat in the Senate of the United States and became a candidate for governor of Kentucky; he was elected without difficulty. Governor Powell was his opponent, and a speech made in Versailles during the canvass was considered one of his finest efforts. Of this speech a correspondent of the *Commonwealth* said:

When Mr. Crittenden rose to reply to Mr. Powell, his manner had undergone a great change; he was roused by the remarks of his competitor. The genius of the debater—the keen, dexterous, pungent debater—was up; his countenance wore that expression, half comic, half sarcastic, midway between a smile and a sneer, with which benevolence curbs and half conceals scorn, and which a soul, naturally kindly and generous, flings, like a graceful and delicate veil, over unbounded powers of raillery and ridicule. Nature has conferred upon Mr. Crittenden, among other gifts, some of the highest qualities of an actor, and a comic

actor. It requires all his dignity to retain within just limits his perceptions of the ludicrous and his exquisite powers of mimicry. The weapons of his wit, if wielded by malignity, would suffice to kill. In his hand, however, and guarded by fraternal charity, they are used as instruments of defense and chastisement; he never strikes at a vital part or aims a mortal blow. No one can report Mr. Crittenden literally and do him justice,—the look, the peculiar accent, and half-mocking pronunciation would be wanting. In this speech, however, all was courtesy; stimulated by the delight of the crowd, he felt himself pursuing this jesting vein too far, suddenly checked himself and said, "But this is badinage," and resumed the air and manner of the great statesman.

When Mr. Crittenden rose, he spoke of Woodford as the *heart* of Kentucky, and of Kentucky as the *heart* of the Union, and of the ties which bound his own to "*this heart of hearts*." He alluded to his birthplace and his present position with graceful propriety, with a taste, a delicacy, a beauty, a *tenderness* of which, I think, *he alone* is capable. To attempt to report him is always grossly unjust, unless you could use words as colors and paint the expression, the tone, the action, and, above all, the countenance. Mr. Crittenden said, sixty years before, he had been a nursling there, in Woodford, in what was then a *canebrake*. Since then what revolutions had swept over the beautiful face of the country where he was born, lovely in its original wilderness, still lovelier, perhaps, under the forming hand of taste, art, and culture! He stood now upon the spot where he had set out, his starting-post and goal. A child of Woodford, and *proud of his nativity*. In discussing the presidential question, Mr. Crittenden said that Mr. Powell claimed a great advantage for his candidates over General Taylor because they had principles—*printed principles*—and a platform to stand upon, and poor old *Rough and Ready* presented himself, his naked self, on foot, without printed principles, without any platform. Mr. Crittenden said there was great convenience in these printed principles and candidates *made to order*! "These creatures of the type and press could be made to suit circumstances—new editions could be struck. Does the gentleman really think it is in the power of a Baltimore Convention to manufacture principles for this country? The principles which guide a man's understanding and control his actions are discoverable by an observation of his whole life, and the result is more or less correct according to the variety and severity of the circumstances under which he has been called to act. Tried by this test, has General Taylor no princi-



ples? Is he just, is he faithful to his word, is he brave, does he love his country, has he been clothed with power and accustomed to high command, has he been placed in subordinate stations? How did he demean himself to his superiors? Has he been surrounded with dangers, pressed with enemies, clothed with supreme command, with thousands of his fellow-men dependent for life and safety upon the steadiness of his nerves? How has he borne himself throughout? Has he seen battle, has it been his stern duty to direct the murderous charge and gaze on fields of slaughter? *How* did he lead? Did he blanch from the helm when the wind blew highest? Did his spirit sink or soar as the whirlwind swept over him? Has victory perched upon his standard? When flushed with triumph, and fresh from the bloody conflict, with what *countenance* did he regard the vanquished? Let his long, and honorable, and glorious life answer these questions. Is there not principle involved in justice, truth, courage, and patriotism? Can a committee manufacture these things? Imagine, if you please, gentlemen, that in 1789 a committee of politicians, a little squad of party organizers, who had figured at county meetings, had called upon General Washington to know if he would sign their *printed principles* and become their party candidate. Figure to yourself the shades of Mount Vernon,—the lawn, the trees, the heights, where still stands, in simple majesty, the hero's homestead, unchanged, since last its walls resounded to his tread, the whole river, which spreads itself out there, like a broad mirror, to receive and fling back, as if in grateful pride, the image of the most beautiful and affecting scenery in the world. Surround, steep yourselves in the very genius of the spot, and then, in the cool, summer evening, in the portico which looks to the east, dedicated to his solitary musings, seated with thoughtful brow and capacious eye, bending its deep, tranquil gaze upon the stream he loved so well, behold the grand, the awful form of the Father of his Country. Imagine the little squad, with their printed platform, signifying to General Washington that he should be the nominee upon condition *that he would sign*. They enter, fearless and unblushing, with their printed principles. With a grave politeness and a dignity which never through life deserted him, a dignity which was with him in death, when he turned his face to the wall, in conscious pride, that the last agony which convulsed and distorted the hitherto heroic calm of his features might have no witness, he rises to receive this committee of his countrymen. Imagine the explanation! See the grand face, long used to veil emotions, never apt to kindle under light or transient excitement.

The face of the hero remains fixed, rigid, impressive. Imagine the long-gathering storm now concentrated on that Olympian brow; then look at the committee!" At this point the crowd burst into one long, loud roar of applause which drowned the residue of the sentence.\*

(J. J. Crittenden to Orlando Brown.)

MADISONVILLE, July 27, 1848.

MY DEAR SIR,—I had time only to write you a very hasty letter, and without much consideration, from Russellville, and since then I have been so whirled along that I have hardly had time to think.

There is a mystery to me as to the source from which it is pretended to derive information as to the contents of a letter of mine to Mr. Anderson. I have not the least recollection of having written a letter to any other Anderson than Mr. Lars Anderson. He is a friend and gentleman, perfectly incapable of betraying confidence or of doing any other dishonorable act; and, besides, I cannot be more confident of anything that depends on recollection than that I have never written to him or any one else any letter of which that extract you sent me formed a part. I send you in this a statement in the form of a letter, to which you will please to prefix the name of any of your editors, and have published, if you deem it proper so to do; and I presume that it will be proper, unless Mr. Anderson has in the mean time given such a contradiction as will be entirely satisfactory, or unless you shall have learned, what I do not believe possible, that any letter of mine to Anderson contains any careless expression that could at all warrant the statement contained in the extract you sent me. I am as certain as I can be of anything that that extract is a fabrication or perversion. But yet I would desire to act with all the caution of a man more tenacious of his truth than of his life.

It may be, and that seems most probable, that some forgery has been resorted to, and, to detect it, the production of the original letter may become necessary, in order to determine the genuineness of the handwriting.

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\* This speech is given entire in the volume of speeches now in preparation. Mr. Crittenden's official acts during the two years he was governor of Kentucky were local in their character; but portions of his messages to the legislature, 1848-1849, have a general interest, and will be given here. After General Taylor's election to the Presidency, he visited Mr. Crittenden at the Government House, in Frankfort, and offered him choice of the cabinet appointments. Mr. Crittenden thought it most consistent with his honor and dignity to decline, and remain in Frankfort.

Do not believe for a moment, from the caution I manifest, that I have the least idea that I ever wrote that extract or anything equivalent to it. I am most confident that I did not, and, unless something has been disclosed that satisfies you I am mistaken, I place the inclosed at your discretion for publication. As far as I can now see, it will be proper to publish it.

J. J. C.

## CHAPTER XXV.

1848-1849.

Letter of Crittenden to Burnley—Abbott Lawrence to Crittenden—Letter of Mr. Clay to James Lynch, A. H. Bradford, etc., as to the Presidency—W. P. Gentry to Crittenden—A. H. Stephens to Crittenden—Crittenden to Moses Grinnell—Part of Gov. Crittenden's First Message to the Kentucky Legislature—R. Toombs to J. J. Crittenden.

(J. J. Crittenden to A. T. Burnley.)

HENDERSON, July 30, 1848.

DEAR BURNLEY,—I have received your letter of the 21st inst. and the one which preceded it a few days. I was, indeed, astonished at the imputation to me of the "Anderson letter." I knew that I had never thought, spoken, or written of Mr. Clay in the terms or spirit of that letter. On the other hand, I could scarcely conceive of the audacity and depravity of such a *forgery*. It was a dark mystery to me. You have seen my contradiction of the genuineness of that letter and its exposure, which I rejoice to say has been more prompt and complete than I had even hoped for.

This affair and the subject of your first letter, which is connected with it, has made me sick at heart, and has too greatly excited me. I am ready for *peace* or *war*, and will certainly submit to nothing that encroaches on my honor or independence as a *free* man and a Kentucky gentleman. I have been a true friend,—I will not be checked and rated like a bondman. And there is another thing I will not submit to: I will not make excuses or explanations on compulsion, or to gratify or appease the unfounded or voluntary irritation of anybody. I feel that I am more sinned against than sinning. I believe that Mr. Clay cannot, will not, give his countenance to the course that I understand some of his friends about Lexington are pursuing towards me. As to their votes, I care nothing; I want no vote grudgingly given. The contradiction and exposure of the Anderson letter may, I suppose, be considered as disposing of the villainous letter of the Washington correspondent of the *Herald* which you sent me; but there is one statement in that letter which I am hardly satisfied to pass by without a contradiction.

It is this: "Mr. Crittenden still declares, I understand, to the friends of Mr. Clay, that he was anxious for that gentleman's nomination." I was not anxious for the nomination of Mr. Clay, because I did not believe that he could be elected, and it is false that either before or since the nomination of the Philadelphia Convention I ever declared that "I was anxious for his nomination." I did not wish it, because I believed his defeat would be inevitable. I told him this in substance, and with all the candor of sincere friendship. I regretted deeply that he permitted his name to be used before that convention. When late, and contrary to my wishes and expectation, he expressly permitted that use of his name, I from that time endeavored, as far as I could, to refrain from taking any part or agency against Mr. Clay in respect to the nomination. My feelings prompted to this forbearance, and I think I acted up to it. This was a matter of feeling with me, and there were moments when those feelings were conflicted with by a sense of duty and other periods when I thought it quite probable that Mr. Clay would not be General Taylor's most formidable competitor in the convention. However others may please to interpret my course, I did not consider that I was exerting my influence as against Mr. Clay. But enough of all this for the present. I have given you but an imperfect sketch; it will enable you to understand my general motives and course in respect to this presidential question. I have given it for your private satisfaction. On Tuesday, I will be in Louisville with all the expedition I can.

A. T. BURNLEY.

Your friend,

J. J. CRITTENDEN.

(Abbott Lawrence to Hon. J. J. Crittenden.)

BOSTON, September 18, 1848.

MY DEAR SIR,—I have your letter of the 10th, and regret to say I am obliged to employ an amanuensis in consequence of inflammation of the eyes. With regard to our political condition in New England, I feel entire confidence that General Taylor and Fillmore will carry Vermont, Connecticut, Rhode Island, and Massachusetts. We have some chance of including Maine. The letter of General Taylor of the 4th of September is a noble production: *that*, with the letter to Captain Allison, embraces everything that any reasonable Whig can desire. The composition and sentiment of those letters would have done honor to the framers of the Constitution, or to General Washington himself. I ask nothing and want nothing more from General Taylor; he is the man raised up by Providence at this important period of our history to administer the government of this great country.

We have had many obstacles to overcome in this State; we have been in a false position for the year past, and are just now dissipating the fog under which we were enveloped by the action of one man who has lately given some poor, faint praise to the pure and elevated candidate for the Presidency and the Whig party. We look with anxiety to the action of your great *man* in Kentucky. I cannot but hope that he will have the magnanimity, for the sake of his *own honor*, the happiness of his old friends, and the good of his country, to come out boldly and fearlessly in favor of General Taylor. I took the liberty, last week, to write to him; and as for us, I was able to place before him his true position. It was a plain statement, which I hope will be received with the same candor in which it was written.

In regard to my own position, I feel most sensibly the importance of the coming election. I propose to spend and be spent in the cause. As soon as my eyes permit, I will abandon all business of a private character, and give myself up entirely to the important business of the country and the election of General Taylor. I have already made engagements to address the public, and so far as writing, speaking, and paying, my friends *will not find me wanting*.

Pray let me hear from you, and believe me, always, your friend,

ABBOTT LAWRENCE.

Hon. J. J. CRITTENDEN.

(Henry Clay to James Lynch, A. H. Bradford, etc.)

ASHLAND, September 20, 1848.

GENTLEMEN,—I have received your official letter as members of the Whig Democratic General Committee of the City and County of New York, and I take pleasure in answering it. Never from the period of decision of the Philadelphia Convention have I been willing, nor am I now, to have my name associated with that office. I would not accept a nomination if it were tendered to me, and it is my unaffected desire that no further use be made of my name in connection with that office. I have seen, therefore, with regret, movements in various quarters having for their object to present me as their candidate to the American people. These movements have been made without any approbation from me. In the present complicated state of the presidential election, they cannot, in my opinion, be attended with any public good, and may lead to the increase of embarrassments and the exasperations of parties. Whilst I say this much without reserve, I must, nevertheless, add, that I feel

profound gratitude to such of my warm-hearted and faithful friends as continue to indulge the vain hope of placing me in the office of chief magistrate of the United States, and that I neither think it just nor politic to stigmatize them as *factionists* or by any other opprobrious epithets. Among them I recognize names which have been long distinguished for ability and devotion to the Whig cause and for ardent patriotism. You advert with entire truth to the zeal and fidelity with which the delegation from New York sought in the Philadelphia Convention to promote my nomination as a candidate for the Presidency. I am most thankful to them, and shall ever recollect their exertions with profound gratitude. And here, gentlemen, I would stop, but for your request that I would communicate my views. This I shall do, briefly and frankly, but without reluctance and regret. Concurring entirely with you that the peace, prosperity, and happiness of the United States depend materially on the preservation of Whig principles, I should be most happy if I saw more clearly than I do that they are likely to prevail. But I cannot help thinking that the Philadelphia Convention humiliated itself, and, as far as it could, placed the Whig party in a degraded condition. General Taylor refused to be its candidate; he professed, indeed, to be *Whig*; but he so enveloped himself in the drapery of qualifications and conditions that it is extremely difficult to discern his real politics. He *was*, and *yet is*, willing to any and every nomination, no matter from which quarter it might proceed. In his letter to the *Richmond Republican*, of the 20th of April last, he declared his purpose to remain a candidate, no matter what nomination might be made by the Whig Convention. I know what was said and done by the Louisiana delegation in the convention; but there is a veil about that matter which I have not penetrated. The letter from him which, it was stated, one of that delegation possessed, has never been published, and a letter on the same subject, addressed to the Independent party of Maryland, has, at his instance, been withheld from the public. It was quite natural that *after* receiving the nomination he should approve the means by which he obtained it. What I should be glad to see would be some revocation of the declaration in the *Richmond Republican* letter *before* the nomination was made. On the great leading measures which have so long divided parties, if he has any fixed opinions they are not publicly known. Exclusively a military man, without the least experience in civil affairs, bred up and always living in the camp, with his sword by his side and his epaulets on his shoulders, it is proposed to transfer him from his actual position, as second in command of the army, to the chief magistracy of this great

model republic. If I cannot *come out* in active support of such a candidate, I hope those who know anything of my opinions, deliberately formed and repeatedly avowed, will excuse me. To those opinions I shall adhere, with increased instead of diminished confidence. I think that my friends ought to be reconciled to the *silence* I have imposed on myself. From deference to them, as well as from the strong objections which I entertain to the *competition* of General Taylor, I wish to lead or mislead no one, but to leave all to the unbiased dictates of their own judgment. I know and feel *all* that can be urged in the actual position of the present contest. I entertain with you the strongest apprehensions from the election of General Cass, but I do not see enough of hope and confidence in that of General Taylor to stimulate my exertions and animate my zeal. I deeply fear that his success may lead to the formation of a mere personal party. There is a *chance*, indeed, that he may give the country a better administration of the government than his competitor would; but it is not such a *chance* as can arouse my enthusiasm or induce me to assume the responsibility of recommending any course or offering any advice to others. I have great pleasure in bearing my humble testimony in favor of Mr. Fillmore. I believe him to be able, indefatigable, industrious, and patriotic. He served in the extra session of 1841 as chairman of the Committee of the two Houses of Congress, and I had many opportunities of witnessing his rare merits. If you deem it *necessary*, you may publish the first four and the last paragraphs.

With great respect, I am your friend and servant,

HENRY CLAY.

JAMES LYNCH, A. H. BRADFORD, etc.

(W. P. Gentry to J. J. Crittenden.)

HOME, Nov. 20, 1848.

DEAR CRITTENDEN,—Since the presidential contest has terminated in the election of General Taylor, men begin to speculate about coming events. It is assumed that you will be offered, and will accept, the position of Secretary of State. A conversation held with you, makes me doubt if you will accept that position. I perceive there exists a public opinion as to the influence you will exercise over General Taylor, which will hold you responsible, in a great degree, for the acts of his administration, especially in respect to appointments for office. Aspirants to executive favor will expect to enlist your influence; those who *fail* will *curse* you, and those who succeed will soon persuade themselves that their own superior merit needed no fictitious aid to secure that result, and they will forget to be



grateful. If you decline to take the helm, and the vessel of state should sail before prosperous gales into a harbor of safety, *others* will claim the glory,—if *she founders*, the blame will fall upon you. Your friends will say, Crittenden did not hold the rudder, and *is not responsible*. Your enemies will answer, he might have held it, but would not; he launched the ship, but would not trust himself with her amid the storms; he gave the vessel, with its rich freight, to the winds, and selfishly sought safety for himself on shore. As you cannot escape the blame if misfortune comes, would it not be wiser to take the responsibility, *dare all dangers*, and guide the ship through the storms and breakers that are *obviously ahead*? Placed as you are, this appears to be the wisest course, but I do not presume to advise; you have doubtless considered seriously, and with lights to guide you to proper conclusions which I do not possess. I write for the purpose of advising you of some small dangers on this part of the political ocean. Having gone to sea, I suppose I had as well stay upon water to the end. You have not forgotten that in this State a portion of the Whig party made powerful efforts to defeat the nomination of General Taylor, and that when those *monster demonstrations* at New York and Philadelphia, in favor of Mr. Clay, sent the idea abroad that he would be the nominee, they made a vigorous effort to make this State change front. This produced a collision, or trial of strength, between the *Taylor Whigs* and the Clay Whigs; the struggle was animated and vigorous. Aided by the talent of our old Captain, we triumphed completely. Our defeated friends were sore under the defeat. The victory won, we sought to soothe them by giving them posts of honor under that standard they had labored to cleave down, and by our united exertions we carried that standard to victory. Some of the prominent Clay Whigs referred to are supposed to maintain *very friendly relations with you*, and I am informed that some of them have been so silly as to boast, that although originally opposed to General Taylor, they will control all questions of executive patronage pertaining to Tennessee THROUGH YOUR INFLUENCE. This is offensive to the original friends of General Taylor, and anything which may seem like a realization of it would create towards you unappeasable resentment with those who can wield a larger influence than the boasters *referred* to. Let me, then, advise you to do nothing or promise nothing to support the idea that your influence can be obtained for the accomplishment of any such purpose. Let it be understood that you *stand* inflexibly aloof from such questions. I want no favors for myself, and do not know that I shall desire to control any questions of that kind for my friends.

My advice to you is founded upon the conviction that any interference of the *kind* alluded to for *the persons* alluded to would permanently injure your popularity. I confess also that I feel a personal resentful unwillingness to see men who did all in their power to prevent the nomination of General Taylor, insolently assuming, in the very moment of his election, to control his administration *through you*. *Beware of them!*

Your friend,

W. P. GENTRY.

(Alexander H. Stephens to J. J. Crittenden.)

WASHINGTON CITY, December 5, 1848.

DEAR SIR,—When will you be with us to fill the cup of our rejoicing to the full? We want you here, above all things, and *you must come*. The session opened to-day with a pretty full attendance, and we had the *longest message* ever before made by any President. I would not be surprised if Ritchie should say in the morning that it is the *ablest*. You will, however, *see* it, if you do not *read* it. I think Judge Collamer made a good criticism upon it. Some member said "it was like a lawyer arguing a point *after it was decided*." Collamer said "it was rather like a lawyer in one of the courts who, upon being reprimanded for arguing against the opinion of the judge, replied he was not rearguing the case, *but damning the decision*." Polk seems to be damning the decision. The best spirit seems to prevail among our friends, and the tone and temper evinced in all quarters argues well. General Taylor will doubtless be annoyed with applicants for office, but the prevailing spirit here is that of discretion and moderation. Some men are busy making a cabinet for him, but they are not the men who had any sympathy with the Taylor movement. The real Taylor-men *are all right*, all disinterested. They look upon the late most glorious achievement as a public deliverance, and not a party victory with no other advantages but the acquisition of a few spoils for the faithful. They look for greater and higher objects—for reform in the government, and not bounties and rewards for partisan services. All they desire is for General Taylor to keep all managers and cliques at a distance, and after the maturest deliberation to select for his cabinet men of ability, wisdom, prudence, moderation, and purity. They have full confidence in the correctness of his judgment in the matter. With his administration is to commence a new era in our history. "Old things have passed away, and all things are to become new." The *tone and temper* here is all right, it will only require to be kept so when the *press* from without becomes strong. I repeat, *you must be here*. Your friends demand it,

the friends of General Taylor demand it, and the *country demands* it,—I need not be more *definite* or more *emphatic*; and you will allow me to say that I am not without my apprehensions of some mischief in case your senatorial election should take a particular turn. *That* ought to be averted if it can be done. I may be wrong in my *conjectures*, and I am fully aware that *you* will *think that I am*, but I will nevertheless be candid and frank in telling you my apprehensions. More *danger* to the success of General Taylor's *administration* is to be feared from that source than all others. You must bear with me, I tell you. I *fear* this is so, and I am not often mistaken. I wish I was acquainted with some of the leading men in your legislature, I would put them on *their guard*. It is important that no blunder be committed, and I know it will require firmness to prevent it. This is a crisis which calls for decision. After hostilities have commenced, it is too late to *pay compliments*. Toombs is not here, nor Pendleton, nor Duncan. Preston is here, and so is old *Truman*, as we familiarly called our late field-marshal, and with their zeal, knowledge, good sense, and sound judgment I know you are *acquainted*. I need not add, therefore, that their efforts are to keep *all things* in good order until *old Zack* himself shall arrive on the field. You see I still scribble with the left hand; I trust, however, you can make out to understand what I mean.

Yours most respectfully,

Hon. J. J. CRITTENDEN.

ALEXANDER H. STEPHENS.

(J. J. Crittenden to Moses H. Grinnell.)

FRANKFORT, December 9, 1848.

DEAR SIR,—I received this morning your letter of the 2d inst. inclosing Mr. Draper's note to you.

It is quite natural that some public curiosity and interest should be felt in respect to the formation of General Taylor's cabinet, and the press in its impatience circulates all sorts of rumors and gossipings on the subject.

The rumor that Mr. Draper has heard of my being authorized by General Taylor to offer the Treasury Department to Mr. Abbott Lawrence is without any foundation or color of truth.

You, sir, I readily believe, are one of the disinterested friends of General Taylor, who, wanting nothing, desire only to see his administration just and successful. You may be satisfied that his course will be marked with prudence, firmness, and decision. I do not suppose that he has even made up his own mind as to the individuals who are to compose his cabinet. He will do that, I have no doubt, with care and deliberation. My firm impression and belief is that he is far from commitments, and

will come into office more non-committed than any President we have had since the days of Washington.

It need not, I think, be feared by his friends that he will entangle or encumber himself with promises of office; he is too wise and prudent for that. I know nothing of his general course except as I infer it from his published declarations and from the opinion I entertain of his character.

Like you, sir, I desire only to see him preserve such a course in his administration as will redound most to the advantage of the country and to his own honor. That course I believe he will preserve, and I trust that we shall all have cause to rejoice in his success.

Very respectfully your friend,  
J. J. CRITTENDEN.

MOSES H. GRINNELL, Esq.

Mr. Crittenden resigned his seat in the Senate and was elected governor of Kentucky in 1848, and the following extracts are made from his first message to the legislature of Kentucky:

FRANKFORT, KY., December 30, 1848.

*Gentlemen of the Senate and House of Representatives,*—In obedience to the provision of the Constitution requiring the governor, from time to time, to give to the General Assembly information of the state of the Commonwealth, and to recommend to their consideration such measures as he shall deem expedient, I will now proceed to address you briefly on the topics that appear to me to possess the most general interest. And here permit me to state that, in contemplating the peace, plenty, and security with which the Creator has blessed our people, the first impression of the mind and impulse of the heart should be of gratitude and praise to Him for the happiness of our condition. He has given to us a country having the advantages of a vigorous climate and a soil of unsurpassed fertility, and placed within our reach the natural means of greatness and prosperity. We have but to use these gifts with thankfulness and wisdom to insure a glorious destiny to the inhabitants of our favored land. Nor should we, on an occasion like the present, when the General Assembly will be called upon, in the course of their deliberations, to prepare the way for a new order of things, be unmindful of the obligations we are under to the wisdom and virtue of those who have gone before us, who framed for us a system of government and laws so well adapted to the genius and wants of the people for whom they were enacted, and which have for so many years afforded the amplest protection to the rights and liberty of the citizen. To the benign influence

of their wise and patriotic legislation we owe much of that character that constitutes the pride of every Kentuckian, causing him to feel that there is something honorably distinctive in the name, and attaching him, by the institutions of his country and the force of early association, to the great principles of republican government. The strength of our form of government is in the truth of the principles upon which it rests. Those principles are the liberty and equality of all before the law, and in no State or country have those ends been more thoroughly attained than in ours. Ours is, indeed, a glorious past, and that should be an example and an encouragement to us to endeavor so to shape the future that it may truly be said of us that the republic sustained no damage at our hands. The article of the Constitution that makes it the duty of the executive to see that the laws are faithfully executed, whilst it is among the most important of the functions of that officer, is happily one that he is rarely called upon to exercise in any forcible manner. There is such a judicious distribution of powers to the various departments, and the legislation of the country has been marked by so much justice, temperance, and moderation, that there is an habitual respect and obedience paid to them, and anything like opposition to the laws by individuals or by organized resistance is almost unheard of. Undoubtedly there are imperfections incident to all legislation, and it must, in the nature of things, sometimes happen that the laws are unequal in their operation. Should such be the case, it will not escape the attention of the people's representatives, and they will be the first to apply the corrective.

The people having expressed their will in the legal and constitutional mode for a convention to frame a new constitution, it will become your duty to pass such laws as are necessary to carry their wishes into effect, and I would recommend an early action on that subject.

The important question of a change in the fundamental law of the land was wisely left to the determination of the people alone, and they have, in two consecutive elections and by an increased majority at the last, voted for the call of a convention. They have exercised their high prerogative in a manner that augurs favorably for its ultimate issue. We have seen them assemble without violence, excitement, or tumult, expressing their will with the calm dignity of freemen too well acquainted with their rights to bring them into contempt by an unseemly manner of asserting them. The extraordinary unanimity of the vote proves beyond controversy that the question rose high above party or ephemeral considerations, and it is to be hoped that this lofty spirit will prevail unto the end. When the people

speaking, the voice of faction or of party should not be heard. Parties rise and fall with the exciting topics of the day, and catch their hue from the schemes of their leaders. But constitutional law is the ægis of a whole people, and those who are called upon to frame it should never forget that their labors are to affect not only the present but future generations. The people of Kentucky should remember that their old constitution has been to them the shadow of a great rock in a weary land; that it has protected them in the midst of strong excitements and the most embittered party conflicts; and that it had the power to do this because it was not the work of party, but of patriotism and political wisdom. I have no fears myself as to the issue of the approaching convention. I believe that it will be guided by a wise and temperate spirit, which, whilst it avoids all rash innovation, will at the same time, by its prudence and wisdom, satisfy that public opinion which called it into existence and trusts so much to its hands.

Under the auspices of our State governments to take care of our domestic concerns, and of the general government to guard our national and external rights, we may confidently look forward to a future full of everything that can gratify the hearts of a civilized and free people.

It is in this general result of the operation of the American system of government that the States feel and know that they are important parts of a great whole; and that they have other cares, interests, and duties which claim their attention beyond those that are merely local and peculiar to themselves respectively. If we could act in the right spirit, and under the influence of proper sentiments, we must habitually contemplate ourselves and our State as members of the great national Union. It is in and by that Union that we are known among the nations of the earth. It is in that Union that we are respected by the world. And under the joint protection of the government of the Union and the government of the States, we have the amplest securities that patriotism and wisdom can furnish for freedom and prosperity. The union of the States is not only indispensable to our greatness, but it is a guarantee for our republican form of government. With the preservation of that Union and the Constitution by which it is established, and laws by which it is maintained, our dearest interests are indissolubly blended. An experience of near sixty years, while it has confirmed the most sanguine hopes of our patriotic fathers who framed it, has taught us its inestimable value. Its value will be above all price to us so long as we are fit for liberty, and it will fail only when we become unworthy of it. No form of government can secure liberty to a degenerate people. Ken-

tucky, situated in the heart of the Union, must and will exercise a powerful influence on its destiny. Devotion to the Union is the common sentiment of her people. I do not know a man within the limits of the State who does not entertain it. We all feel that we can safely rely upon a Union which has sustained us so triumphantly in the trials of peace and war; and we entertain no fears from those who have a common interest in it with ourselves. The paternal feelings with which we regard them, and the filial reverence we ourselves have for the link that binds us together, give us strength in the faith that they cherish the same bonds of brotherhood, and will practice no intentional injustice towards us. We can have no better security for our rights than that Union and the kindred feelings that unite us with all the members of the Confederacy. If these sentiments ever cease to prevail, I trust that Kentucky will be the last spot from which they will be banished. Errors and even abuses may occasionally arise in the administration of the general government,—so they may in the administration of all governments,—and we must rely upon public opinion, the basis of all republican governments, for their correction. The dissolution of the Union can never be regarded—ought never to be regarded—as a *remedy*, but as the *consummation of the greatest evil that can befall us*.

Kentucky, devoted to that Union, will look to it with filial confidence, and, to the utmost of her might, will maintain and defend it. We let no meditations or calculations on any sectional or other confederacy beguile us to the point of weakening our attachment to the Union. Our relations and our attachments are with and to *all the STATES*; and we are unwilling to impair them by any entangling engagements with a *part*.

We are prouder of our rank as a member of the United States than we could be of any sectional or geographical position that may be assigned us. We date our prosperity as a nation from the adoption of the Federal Constitution. From the government that it established we have derived unnumbered blessings, and whatever of evil has occurred in its administration bears no proportion to its benefits.

In proof of the foregoing sentiment we may appeal to our past history. We have seen measures of national policy which we consider of vital importance to our welfare perish in the conflicts of parties; and other systems, deemed by us inimical to our best interests, prevail. Yet we did not falter in our allegiance to our common government, but waited with patience for the development of the conclusion to which a majority of the whole nation would ultimately arrive after a calm survey and experience of what would best promote the public good.

The administration that is now drawing to a close was not called into existence by the vote or the wish of a majority of the people of Kentucky. Many of its most important measures have not been such as we desired to see enacted. Yet it has met with no other opposition than a manly expression of an honest difference of opinion. And when war was declared with Mexico, notwithstanding the opinion that prevailed that it might have been avoided by wise statesmanship, still Kentucky responded to the call of the President, not halting to debate the necessity of the war, but finding in the fact that it was declared by the constituted authorities of the nation a sufficient claim of her patriotism. She has come out of that war with an increase of glory, being behind none in advancing the honor of the national flag; and to our brave volunteers, who gained for us that proud eminence, the thanks of the State are due. If such has been her action through the past, may we not safely promise that the administration of General Taylor will receive a cordial support from the State of Kentucky? The veteran patriot, who has been just chosen to administer the government of the United States, was brought to Kentucky an infant in his mother's arms. He was here reared to that vigorous manhood, and with those sterling virtues, that have sustained him through a long period in his country's service. There is, therefore, a natural reason for our confidence and attachment.

But he comes into his high office with the avowed purpose of endeavoring to carry out the principles and policy of Washington, and this should commend him to the affections of the American people. It will be his aim to soften, if he cannot extinguish, the asperities of party strife,—to give to the government its constitutional divisions of powers, as they were designed to be exercised by its framers, and to make the Congress of the United States the true exponent of the will of their constituents.

Under such an administration, guided by such principles and motives, the people of the United States seem to have the best assurance of their liberty and of all the blessings that good government can bestow. These relations have been alluded to in no partisan spirit, but in the hope that we at last see the dawn of an era ardently desired by every lover of his country,—when the discordant elements that have so long disturbed the public repose will give place to more fraternal feelings, and the pure patriotism of the Revolution prevail in every American heart. But in the midst of our bright prospects and high hopes, it becomes us to acknowledge our grateful dependence upon that Supreme Being without whose favor all schemes of human happiness are in vain, and without whose benediction the wis-



dom and exertion of man can accomplish nothing truly great and good.

J. J. CRITTENDEN.

December 30th, 1848.

(R. Toombs to J. J. Crittenden.)

WASHINGTON, D. C., January 22, 1849.

DEAR CRITTENDEN,—We have been in trouble here for the last month about this slavery question, but begin to see the light. I am anxious to settle it before the fourth of March. The longer it remains on hand the worse it gets, and I am confident it will be harder to settle *after*, than before, the fourth. We have, therefore, concluded to make a decided effort at it now. This morning, Preston will move to make the territorial bill the special order for an early day, which will bring the subject before us. We shall then attempt to erect all of California and that portion of New Mexico lying west of the Sierra into a *State* as soon as she forms a constitution and asks it, which we think the present state of anxiety there will soon drive her to do. This will leave but a very narrow strip, not averaging more than fifteen or twenty miles, between this California line and the Rio Grande line of Texas. This Texas line the Democrats are committed to and some of our Northern Whigs. Corwin, etc., say, if that line is established, they will vote this strip to Texas. I think we can carry *this*, or something like it. The principle I act upon is this,—it cannot be a slave country! We have only the point of honor to serve, and *this* will serve it and rescue the country from all danger of agitation. The Southern Whigs are now nearly unanimous in favor of it, and will be wholly so before the vote is taken. We know nothing of General Taylor's policy, but take it for granted he would be willing to any honorable settlement which would disembarrass his administration from the only question which threatens to weaken it. If you see any objections, write me immediately, and we will keep ourselves in a condition to *ease off* if it is desirable. I have a strong opinion in favor of its propriety and practicability, and with a perfect knowledge of the *hopes*, *fears*, cliques, and combinations of both parties. I do not hesitate to say *now* is the best time to force it to a settlement. We have completely foiled Calhoun in his miserable attempt to form a *Southern party*. We found a large number of our friends would go into the wretched contrivance, and *then* determined it was best to go in ourselves and control the movement, *if possible*. We had a regular *flare up* in the last meeting, and at the call of Calhoun I told them briefly *what* we were at. I told him that the union of the South was neither *possible* nor *desirable* until we were

ready to dissolve the *Union*. That we certainly did not intend to advise the people now to look anywhere else than to their own government for the prevention of *apprehended evils*. That we did not expect an administration which we had brought into power would *do* an act, or permit an act *to be done*, which it would become necessary for our safety to rebel at; and we thought the Southern opposition would not be sustained by their own friends in acting on such an hypothesis. That we intended to stand by the government until it committed an overt act of aggression upon our rights, *which* neither *we* nor the country *ever* expected to see. We then, by a vote of forty-two to forty-four, voted to *recommit* his report. (We had before tried to *kill it directly*, but failed.) We hear that the committee have whittled it down to a weak *milk-and-water* address to the *whole Union*. We are opposed to any address whatever, but the Democrats will probably outvote us to-night and put forth the one reported, but it will have but two or three Whig names. Don't think of *not* coming into the administration. There is but one opinion here as to its necessity.

Yours truly,  
R. TOOMBS.

J. J. CRITTENDEN.

## CHAPTER XXVI.

1849.

Letters—J. Collamer to Crittenden—Jefferson Davis to Crittenden—Crittenden to O. Brown—John M. Clayton to Crittenden.

(J. Collamer to J. J. Crittenden.)

WASHINGTON CITY, January 30, 1849.

DEAR SIR,—I have summoned resolution to write to you, and you know it will be done with confidence and frankness; so forgive my presumption. First, then, the great topic here is the cabinet of General Taylor. Now, sir, among the very few things generally conceded on this subject *is this*: that you *will be* and *ought to be* consulted on this point by General Taylor. I trust this may be so, and that he and the country may have the advantage of your judgment and knowledge of men on this occasion. Next, sir, I desire to say distinctly that the Whigs of Vermont have desired and expected that you would be Secretary of State, and I think the Whigs of the Union, or at least a large majority of them, participate in this desire. I would add that if in the cabinet you should be at the head of it, to sustain your public and political position. I regard *this* as a national demand, more imperious than any local claims Kentucky can have upon you and paramount thereto. Such are my views, but I never volunteer my unasked advice; nor do I regard my views of any great value; but in this case I express them because I think the public opinion coincides with mine. I, however, frankly acknowledge that I should not have written this letter but for another matter, which relates to myself. You know, sir, I am utterly incapable of soliciting any man, even yourself, to sustain me for an office; but I have a favor to ask which comes *so near it* that I have great reluctance to state it. Last summer and autumn the very decisive and active course I thought it necessary to take in Vermont in relation to the election of General Taylor exceedingly exasperated the Free-Soil party, and they, holding the balance of power in the House of Representatives in the State, prevented my election to the United States Senate. Before the adjournment in November, at a convention of the Whig members of the two Houses, they unanimously recommended me to General

Taylor for the office of Attorney-General. This was without my knowledge. That recommendation has been sent to General Taylor. Now, sir, I do not mention this matter with any view to press such appointment or to expect it; for though I think the claim of Vermont as the only uniform Whig State in the Union, and in which no cabinet appointment was ever made, is very great, yet I suppose no such appointment will be made, especially as the State presents such a candidate. I have, however, a favor to ask. You perceive my situation. I desire that my recommendation by the State may not be to my disparagement and injury. It seems to me that if both this recommendation and myself are disregarded, myself entirely overlooked and the claims of Vermont are attempted to be met by the appointment of *other men to other places* by private influence, it will, undoubtedly, be to me a *matter of direct personal injury* and reproach. Now, sir, I solicit the exercise of the influence which all ascribe to you to save me from this. In short, sir, if anything of value is to be offered to Vermont, should it not be offered to me?

I am, sir, very respectfully, your obedient servant,

J. COLLAMER.

(J. J. Crittenden to A. T. Burnley.)

DEAR BURNLEY,—Your letter by Swigert reached me yesterday at Mrs. Innes's, where I now am, and you will receive this to-morrow after due consultation with Letcher, who is embraced in your invitation to the Mammoth Cave. As to the cigars, you have acquitted yourself well! Letcher would have taken them all if you had not assigned him *a part*. I do not know what Letcher may think of it, but he is reputed a wise man, and I must, therefore, believe he will concur with me in regarding your proposition to go to the Mammoth Cave as a most strange and wild fancy. Go to the cave! travel three long summer days to get there, and as many to get back, and for what? There is no medical water to restore or invigorate health. Thomas tells me that you promise venison and salmon every day for dinner. That's a "*fish story*." I know better. You are more likely to get both at the Blue Licks; but the cave,—the cave itself,—the Mammoth Cave is the attraction. There is a deathlike coldness in the idea that may have some charm for people who come panting from the tropics, and who have lately felt that it was better to be buried alive than to endure the burning sun. It must be some disorder of the mind that thus misleads you, and from which I trust the temperate climate you are now in will soon relieve you. For my single self, if I was standing at its mouth, I would not again enter its infernal *jaws*.

I had rather make my explorations on the surface of the earth, in the free air and open light of heaven; I have neither ambition nor curiosity to be thrusting myself into places that were never intended for living men, nor anything better than dragons or reptiles. My seven senses altogether can't comprehend the pleasure of leaving "the warm precincts of the cheerful day" to stumble and grope about in the Mammoth Cave, making its everlasting darkness hideous with miserable glimmering, smoky torches. I would greatly rather have descended with *Aeneas* into the infernal regions. *There* a man might indeed *see sights*; here the utmost of his achievements would be to see, perhaps catch, a *poor, little blind fish* that says to him as plain as a fish can speak, "What a foolish thing it was to come so far for such an object." No—no—no, sir, you will not get Letcher and myself into that cave, but if like sensible men you would rather live in society than be buried in a cave, and will go to Harrodsburg or Blue Licks, *we are your men*. Don't let Dr. Croghan hear one word I have said *against caves*. If I could fancy *any* cave it should be his, *because it is his*.

P.S.—Well, I have consulted with Letcher. I find to my surprise that he does not agree with me altogether as to *caves*. Indeed, he says "*he has a passion for caves*," and has constrained me to consent to suspend a final determination, and to hear an argument from you on the subject. Letcher desires an argument, and if you can remove the objections we will change our decision and go to the Mammoth Cave. Bring Alex. Bullitt along to the argument.

Your friend,  
J. J. CRITTENDEN.

(Jefferson Davis to J. J. Crittenden.)

SENATE-CHAMBER, January 30, 1849.

MY DEAR GOVERNOR,—I have been long intending to avail myself of your kindness by writing to you; but you know the condition of a senator during the session of Congress, and may be able to estimate the condition of a lazy man thus situated. It is, I hope, unnecessary for me to say that my sympathies have been deeply enlisted in the case of Major Crittenden, and, what is more important, my conviction is complete that he has been unjustly treated. You know Mr. Polk, and your view of the manner in which he should be dealt with, as shown by your letters, has very closely agreed with my own. Worried by his hesitation, I have called for the proceedings in the case, and if he holds out, it is a case in which the weaker goes to the wall. I think I will beat him, and so you may say in confidence to your gallant son.

My boy Tom, in which style I hope you will recognize Colonel Crittenden, has been discreet and, I think, efficient in a cause where feeling might have warped the judgment of an older man. I regret exceedingly to see that Mr. Clay is to return to the Senate. Among many reasons is one in which I know you will sympathize—the evil influence he will have on the friends of General Taylor in the two houses of Congress. Many who would have done very well in his absence will give way in his presence. This will also introduce a new element in the selection of the general's cabinet. It must be composed of men of nerve and of no Clay affinities.

One instance to illustrate my meaning: Berrien, of Georgia, though well enough without Clay's shadow, would not do under it. You see that I disregard Mr. Clay's pledge to support the administration; he may wish to do so, but can his nature reach so much? The Englishman, Baker, who came from the Rio Grande to draw pay, mileage, and a year's stationery, as a member of Congress, is here, with recommendations from legislatures for the post of Secretary of War. What would General Taylor say to such impudent dictation and indelicate solicitation? T. Butler King wants to be Secretary of Navy. You know the little Yankee, Andrew Stuart, wants to be Secretary of Treasury—the man who proved wool to be a vegetable. I hope you will talk fully with General Taylor; he knows very little of our public men personally, and will have very little opportunity to observe them after his arrival.

Clayton is true, and talks right. Has he the necessary nerve? How would Binney, of Philadelphia, do for the Treasury? As Lawrence is not a lawyer, and is a manufacturer, how would Mr. Lawrence do for Navy? How would Gadsden do for War? How will a Postmaster-General be selected? The general will need you, and I hope to see you here. Loose and hurried as my remarks are, written in the midst of much "noise and confusion," you may, from intimate knowledge of all I have treated of, unravel what would be unintelligible to one less informed.

Your friend,

JEFFERSON DAVIS.

(J. J. Crittenden to O. Brown.)

FRANKFORT, July 3, 1849.

MY DEAR SIR,—Your letters of the 23d and 27th of the last month were anxiously expected, and read with great interest; and yesterday your telegraphic dispatch was received, announcing your acceptance of your new office. You have now become the great *sachem*, and I have no doubt will demean yourself like a proper chief. You have but to take hold of your

office earnestly, and all its exaggerated difficulties will vanish before you. It can be no great matter for you, and to comprehend all your official duties, you will then feel at ease. And master of your house, you can order and execute as you please, and with but little trouble, if you have such subordinates as you ought to have. Knowing your capacity, I desire to see you do justice to yourself in your present office, so as to show yourself capable of higher and greater things. And these I anticipate for you without the least pretension to prophecy. Without anything the least personal or selfish in the wish, I hope you will avail yourself of all opportunities of cultivating the acquaintance, the friendship, and the confidence of General Taylor. I desire this for your own sake, for his sake, and for the sake of the country. Such relations with him will be honorable to you, and will, I am certain, be useful to him. His prepossessions are all in your favor, you stand with him as the representative of his great bulwark, Old Kentucky, and he will be glad to have some one with whom he may *talk* outside of the cold, formal limits of the cabinet. That's as *natural* as the desire to break out of prison. You are exactly the man to occupy that relation with him, all circumstances favor it, and nothing but negligence, or something worse, will prevent your falling into that position.

He is a noble old patriot who deserves to have disinterested and faithful friends to soothe and assist him, and I know that you will be such a friend.

Indeed, I have had a sad time since you and the boys left me. It seemed as if all my *light* had gone out. But yet there was a ray from within that was constantly breaking from the clouds to cheer me and to brighten my thoughts. I had advised you all to go. It was good for you to go. And the brightness of your prospects, and of the skies above you, reflect a sunshine upon me. I shall flatter you by telling you how much we all miss you; how much the town misses you; and how much we inquire, and speculate, and talk about you. Letcher seems to be widowed by your departure. In walking together by your house, a few evenings past, he, the practical man, grew poetic, and insisted that your vines, plants, and trees seemed to droop and mourn your absence. Your absence has been an actual grief to me. Missing you in the office day by day, I feel as if my office, "my vocation," was gone. I am glad that you are where you are, and yet grieved that we cannot have you here. There are many peculiar reasons why none of your friends here can lose so much, or miss you so much, as I—but I will not grow too serious or gree-vi-ous on the subject.

The emigrants deducted, our little town remains just as you

left it. I haven't felt like more than half a governor since you left. I have succeeded, however, in getting a very clever fellow, Joshua H. Bell, to take the office of secretary. He has written me that he would be here to-day. And it is quite necessary he should be, as from the last days of June, when your resignation was entered, there has been an interregnum, and will be till his arrival.

By the intelligence which you and Thomas gave us from Washington, we have set it down as certain that Letcher is to have a mission, and most probably that to Mexico. As to what you say of my friend, General W. Thompson, I had heard about the same through a letter from Thomas, with whom also Thompson had conversed, and to about the same effect I received a letter from himself on the day that your last reached me. Fearing that Thompson might think that I had brought about the collision and competition between him and Letcher, I wrote to him immediately on the receipt of Tom's letter, expressing my regret at the competition; that the object of Letcher's friends was to obtain a mission for him, not caring as to what mission it was, and that if it was the wish of the administration to confide to him the mission to Mexico, that Letcher's friends and I would undertake to say Letcher himself would willingly waive any preference he might have for that mission, provided there should be given to him either the mission to Berlin or St. Petersburg. I wrote this not only to acquit myself with Thompson but to place the responsibility where it ought to rest, or at least to throw it off my own shoulders. The truth, I suppose, is that the administration cannot well give one of the first-rate missions to South Carolina after the disposition of other offices which it has made; and not being able to give one to my friend Thompson, are explaining away his disappointment as well as it can be done. That does not concern me; but I do not wish to appear to have gotten up the rivalry between Letcher and Thompson, and to be chargeable, of course, with the disappointment of one of them.

Letcher's spirits have evidently improved greatly under the influence of the letters of Thomas and yourself; and we all congratulate ourselves on the certainty of his success. We shall hold you not a little responsible for the mission to Mexico, Prussia, or Russia. And I don't believe Letcher cares a pin which. But, by Jupiter, I wonder at my own disinterestedness! I am wishing good offices for all my friends here and aiding in getting them,—offices which will carry them far away from me. I shall then be left solitary and alone, and what is to become of me? You stand in need of no lessons from me. Just be yourself and follow your own natural bent and character, and



all will be right. Be not jealous of the "Satraps;" be respectful and give them all due deference and honor upon the proper occasions, but show no anxiety to seek or avoid them. Let old Zack be the rock on which you build,—that is the proper position for you,—and all the "Satraps" will soon seek you.

Clayton is a noble fellow; he may have faults and imperfections, but still he is a noble fellow. I want to hear that you are good and confidential friends. You must try and break down the barrier that seems to divide Bullitt from the administration. Between the editor of such a paper and the President and cabinet there ought to be an unreserved communication. It used to be so in old times. There was hardly a day in the administration of Mr. Jefferson, Mr. Madison, and Monroe that the editor of the *Intelligencer* did not visit the President just to hear what he had to say and to imbibe the spirit of the administration. It ought to be so again. Tell Bullitt that his paper is still too much on the *defensive*. He does not show forth old Zack enough, his plainness, his integrity, his patriotism, and that therein lies the hostility of old Ritchie and that whole breed of politicians. These are all mad with the people for electing him. Old Ritchie, for instance, is mad to the amount of ten to twenty thousand dollars annually that has been taken from this old feeder in the treasury. These are the gentlemen that are making all the outcry against old Zack, and they, to conceal themselves and their "private griefs," affect to represent and speak in the name of the Democratic party. I would take the ground that the *people* of that party honored and revered old Zack, and that it was the *partisans* only who live on party warfare and its plunder that were abusing and making war on him; that he was emphatically the people's President and not the President of office holders and of Mr. Ritchie. And to illustrate all this, I would signalize Mr. Ritchie's case,—show how he was fattening on the spoils, how he had been cut off from those spoils by the people's President, and what good cause he had to be mad with the people and old Zack for all this. But Bullitt, I think, will soon bring all this right.

You must hold on to your office for a time at least, and let me know all that is going on at Washington.

O. BROWN, Esq.

Your friend,

J. J. CRITTENDEN.

P. S.—Buckner's district is doubtful; but I think you may be confident that we will send you eight Whig representatives at least from Kentucky.

J. J. C.

(John M. Clayton to J. J. Crittenden.)

WASHINGTON, July 11, 1849.

MY DEAR CRITTENDEN,—Letcher will be appointed Minister to Prussia or Mexico as soon as your Kentucky elections are over, and *so you may tell him*. He understands me, and when he returns *you must go in his place*. Tell him I *try to do* as he says I *should do*, “have winning ways;” but if I am *kind* in manner to some men, they take occasion to construe *that* into a *promise of office*. The President says that it has now come to such a pass that if he does not *kick* a man down-stairs he goes away and declares he *promised him* an office. You never wrote a more sensible letter in your life than that in which you gave me your lessons in diplomacy. I agree with you in everything, and you will see *by-and-by* that I have sent an agent to recognize the independence of Hungary on the first favorable indication. The agent (at present unknown) is Dudley Mann, *now in Paris*. The same policy (sympathy with the advance of republican principles) will characterize all my course, if the President will allow me. On this subject do you write to me to give me a loose rein. Some of my colleagues (*who are noble fellows*) are somewhat young and tender-footed. We must keep up with the spirit of the age. Preston got it into his head that our “Sir John Franklin expedition” was like Mason’s *Dead Sea* expedition, and so his *department* defeated us, by holding the matter under consideration until it was too late to do anything. My mortification has been extreme about the failure of it, especially as the British Parliament and the Royal Society received the intelligence of the President’s intention to send out the expedition with applause absolutely enthusiastic. It was a pretty feather in the President’s cap, and *lost* by the opposition of the navy. Oh, if you could see what a fine letter the “*Lady Franklin*” sent me in reply to the one the President wrote to her, and what a jewel of a letter I was preparing in reply to it! But, alas! we were blown *sky-high* by the navy after the President had ordered them to prepare the expedition. Many here blame the old Commodores Smith, Warrington, etc., the committee to whom the matter was referred, and who reported that we had not a ship in the navy *fit to go*. These old commodores are all behind the age. The spirit of progress ought to be ours. We must keep up or be distanced. Our friend Collamer is behind; he is a glorious fellow, but *too tender* for progress. He has been often indeed at his wit’s end, frightened about *removals* and *appointments*, but I cry courage to them all and they will go ahead, *all, by-and-by!* Taylor has all the moral as well as physical courage needed for the emergency. I know Brown; he is at first sight a *trump*—“the *king* if not the *ace*.” Your son

Thomas has gone to Liverpool as happy as a lord. I had to recall Armstrong; he refused to resign. If you will come here and take my office I will give it up to you with pleasure, and with a *proviso* to stand by you all my life. I have not had a day's rest for nearly five months. The honor of *serving* the man I now *serve* is the only reward I can offer you. *That* is indeed *an honor*. I have never met with a man who more justly deserved the respect and devotion of his friends and of all good men. Tell Letcher I am willing to be *hung* if this administration *fails*. Letcher has, in a letter to me, *sworn* to *hang me* if it does.

Remember me kindly to Letcher. I mean to instruct him gloriously. He shall know a *thing or two*.

Faithfully your friend,

Hon. J. J. CRITTENDEN.

JOHN M. CLAYTON.

## CHAPTER XXVII.

1849-1850.

Letters from J. Collamer, Crittenden, and Letcher—Extracts from Crittenden's Message to the Legislature of Kentucky in 1849—Letters of Crittenden to Letcher and Thomas Metcalf.

(Hon. J. Collamer to J. J. Crittenden.)

WASHINGTON CITY, July 14, 1849.

DEAR SIR,—I have before me your letter of the 9th inst., frankly expressing your feelings of dissatisfaction at my apparent neglect of your recommendation of Dr. Alexander as local mail agent at Louisville. Many persons were recommended, and Russell had many leading men for him, including the member Mr. Duncan. Alexander had no paper on file, but your letter, that would have been very potent with me. In this state of things I received charges enough against Pilcher for his removal. The President having made his own selection for postmaster, then handed me a line addressed to me, but which had been inclosed to him, signed J. S. Allison, recommending the appointment of Russell as agent, and as being most desired at Louisville. The President expressed to me his desire that I should follow the recommendation of Captain Allison. This I regarded as *law* for me. I am *but a subaltern*, and obey, but it seems that in so doing I must lose all the personal attachment and respect of those whose respect I value. It seems to me that even in this matter I have done no wrong, nor have I deferred your wish to anything but what I regarded as imperative upon me.

Respectfully, but *afflictedly*, yours,  
J. COLLAMER.

I should be pleased to send my respects to Mrs. Crittenden, but I hardly think they would be at present well received.

J. C.

His Excellency J. J. CRITTENDEN.

(J. J. Crittenden to Orlando Brown.)

FRANKFORT, July 26, 1849.

DEAR ORLANDO,—I learn from your letter to Letcher that you are becoming better reconciled to Washington. The few

first weeks there would be the *dead point* in your transactions; after that you will have formed new associations that will make all go smoothly. With Burnley and Bullitt for your associates, you have a great resource, and may be a mutual relief to each other in the troubles of your *common exile*. Whatever may be your intention as to resignation, it is best to say nothing about it for the present. It may weaken your position at Washington without doing you good anywhere. I hope to see you a cabinet minister before the expiration of *old Zack's* term. Give my commendation and my thanks to Bullitt, and tell him he has now got the *Republic* up to the right *temperature*; he must keep it as *hot as a furnace* till the *Union* is purged in "liquid fire." *Old Zack* must be kept constantly in view as the *people's President*, and the rage of Ritchie & Co. must be attributed to its natural cause—their exclusion from the domination and spoils they have so long indulged in. *Old Zack* is trying to manage things for the good of *the people*,—Ritchie & Co. trying to get back to the days when the office holders managed things for their advantage and *fed fat* on the public treasury. *Old Zack* is the people's man, and old Ritchie the champion of the late office holders; the issue is, whether the people shall rule by *their man*, or whether old Ritchie shall be able, by misrepresentation and defamation, to put down the people's administration and take possession of the premises as their own. It is easy to perceive that you feel some distrust of the cabinet and some apprehension of *its success*. This is a contagious feeling with you, Burnley, and Bullitt, and your association keeps it up. I am anxious to see you all *cured of this disorder*.

Yours,

J. J. CRITTENDEN.

(J. J. Crittenden to Orlando Brown.)

FRANKFORT, September 5, 1849.

DEAR ORLANDO,—I start for the Estill Springs to-day, and I am constantly finding little last things to be done that have been before neglected.

A Mr. Harrison, of Greenupsburg, in this State, is very anxious to obtain an office. Application was some time ago made for an Indian agency for him, and I write on his behalf. I have since received a letter from him, suggesting that his application had been too limited; that if he could not get an Indian agency he desired some other equivalent office, and requested me to write again in his behalf. You know Mr. Harrison, I believe. I think you were in my room when he first visited me on this subject. My impression is that he was a sort of Democrat who became a zealous Taylor-man.

He is a good-hearted, worthy man, and very competent to the duties of any such office as he solicits. If you find an opportunity of doing anything for him, I pray you to do it.

I have received your letter of the 29th ult., but have not time now to reply to it further than to say that I am glad you have got your hands to a work more worthy of them than the ordinary drudgery of office. Insist, if it be necessary, on having it all your own way, and take responsibility so far as to make it your own work. Give up in no essential point without an appeal to old Zack. There is no necessity for you to stand in awe of any secretary. And where anything important and good occurs to you, insist on it independently, and, my life upon it, the President will back you. Bate not your breath for ministers. Your tenure is as good and strong as theirs. They will know it, and you will be the more respected and appreciated by them, if they are as smart as they ought to be.

Your friend,

ORLANDO BROWN, Esq.

J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

WASHINGTON CITY, November 17, 1849.

DEAR CRITTENDEN,—This letter is headed, as you perceive, with a word calculated to inspire the expectation that something of much interest is to be communicated. Not exactly so,—but as yet I know not *what* I may say, what guesses I may make, what apprehensions I may express in regard to the present and the future. Things are terribly amiss, out of sorts, out of joint, in this quarter. There will be a change in the cabinet, sooner or later, to a dead certainty! I can't cheat myself in this matter, though I have tried to do so.

Clayton is in great trouble, poor fellow. I am truly distressed for him. I have seen but little of him for five or six days. The truth is, it gave me pain to see him, and as I had not the heart or courage, without being specially invited to do so, to say all I felt, all I thought, and all I know, I purposely kept away, merely telling him when he needed a *doctor* to send for me. I scarcely know how to begin to tell you the whole story, and, in fact, it would be too tedious and laborious to attempt a narrative in detail. His misfortune is, that every man in the cabinet *wants him out*. These letters, which you see published in the *Herald*, telling the secrets of the administration and foreshadowing its policy, have rekindled a flame which had been almost extinguished to the highest point. For the last twenty-four hours, without saying a word to any human being *but two* of the cabinet, my efforts have been directed to prevent

(right in the face of Congress) an open rupture—a ruinous rupture. All I hoped to accomplish was to endeavor to inspire prudence in action and wise forbearance. Possibly I may have had some slight agency in pouring a little oil upon the troubled waters; but the storm is bound to come, it is only a question of *mode* and *time*. My opinion in regard to Mr. Clayton's holding on to his place has totally changed since I got here. His position is such that it is altogether impossible for him to be useful to the administration. There is no mistake, no doubt, about it whatever, and if he gives me half a chance I mean to tell him what I think, as sincerely as I would tell you or my brother, under similar circumstances. Clayton don't know, don't see, the abyss before him! General Taylor has said nothing as yet,—in truth, is unacquainted with all the facts connected with the case, but they *mean* to tell him. They charge and say *that they can prove* that Mr. C. made that clerk write the communication which you saw in the *Republic* denying the authenticity of his *Herald* letter. Well, as I said to one of the party (very much excited), "suppose he did. What of it? Had he not a perfect right to call upon any man who had slandered him and ask him to do him justice?" But say they, "This letter that rascal wrote was by the knowledge and with the consent, and even by the request, of Mr. C., and *this* we can *prove*." I don't believe that! What is to occur, and when it may occur, the Lord only knows. All I say is, that something will occur before long. I would not be surprised if it happens in two hours. I will use every effort within my power to see that what is done shall be done decently and in order. I was consulted with for two nights past, until two o'clock in the morning, in case of a vacancy in the State Department, as to *who* ought to be the appointee. My opinion was given just as truly and candidly as if upon oath, and you are at no loss to understand what that opinion is, though your wife would like me none the better for it. I think I may venture to say from what I know and from what I learned from one of the distinguished parties concerned, that the whole of the cabinet would *pull together* upon this point. I give you this gentle hint that you may think about it, and if the contingency arises, don't *refuse* till you see me. I don't know when I can get away. I am in a whirlpool; perhaps I may be here ten days. I am most sincerely damned impatient to get away,—not meaning to *swear* in your presence. I am unhappy in my mind. The cabinet are now in session. I trust they may break up in harmony. I have not had a good night's sleep since I got here. The hours for *close chat* in this city are from eleven to two at night. *That* don't suit me. There are many reports on the street of the resignation of the

cabinet; none of which are true. Nobody wishes to resign, unless it be Clayton. More to-morrow.

Hastily, but sincerely, your friend,

R. P. LETCHER.

(Extract from Governor Crittenden's Message to the Legislature of Kentucky, December 31, 1849.)

The preceding remarks have been confined to the domestic affairs of our own State; but as nothing that concerns the *Union* can be alien to us, I am unwilling to close this communication without some reference to our relations and duties to the Constitution and government of the United States. This seems to be made more imperatively my duty by the deplorable agitation and political excitements which have recently been but too manifest in the proceedings of one branch of Congress, and which, if they do not threaten and endanger the tranquillity and integrity of the *Union*, have excited solicitude for its safety. The Constitution of the United States was made by the whole people, and no compact among men was ever made with more deliberate solemnity. Inviolable respect and obedience to that highest law of the people, in all its consequences, is the bounden duty of all. While it confirms all our State institutions, it unites us for national purposes as one people, one GREAT REPUBLIC. It is in that *Union* alone that we exist as a *nation* and have our bond of brotherhood. From it, as from a rich fountain, public prosperity has streamed over our whole land, and from the base of our great national republic a spirit has gone forth throughout the world to quicken and raise up the oppressed, to teach them a new lesson of freedom, and, by pointing to our example, show them the way to self-government. The heart of man must swell with conscious pride at being the free citizen of such a republic. Dear as Kentucky is to us, she is not our whole country. The Union, the whole Union, is our country; and proud as we justly are of the name of *Kentuckian*, we have a loftier and more far-famed title—that of *American citizen*,—a name known and respected throughout the world, and which, wherever we may be, has power to protect us from the despotism of emperor or king.

As a party to the Constitution, Kentucky, interchangeably with the other States, pledged herself to abide by and support that Constitution and the Union which it established: If that pledge were her only obligation, it ought to be inviolable. But the seal of Washington stamped upon it, the thousand glorious recollections associated with its origin, the benefits and blessings it has conferred, the grander hopes it now inspires, have day by day increased our attachment, until the mere sense of



plighted faith and allegiance is lost in proud, grateful, and affectionate devotion. I can entertain no apprehension for the fate of such a Union. The approach of any danger to it would be the signal for rallying to its defense,—the first moment of its peril would be the moment of its rescue. I persuade myself that there will be found in Congress, on the exciting subject which has given rise to the late agitation and alarm, a *wise forbearance and a wise patience*, that will secure us from danger; and that the very men who, in the heat and contention of debate, have spoken most boldly the language of defiance and menace to the Union, will not be hindmost in making sacrifices for its preservation. The Union has further security in the parental care and guardianship of its present illustrious chief magistrate; and far above all other securities, it has the all-powerful public opinion and affections of the people.

To Kentucky and the other Western States in the Valley of the Mississippi, the Union is indispensable to their commercial interests. They occupy the most fertile region of the world, eloquently described by a celebrated foreigner as “the most magnificent abode that the Almighty ever prepared as a dwelling-place for man.” These States, already populous and productive, are rapidly increasing, and in no long time must become the most populous and productive portion of the United States. They are remote from the sea, and to enable them with any advantage to dispose of their boundless production and purchase their supplies, they will require the use of all the channels and avenues of commerce, and of all the markets, ports, and harbors from Boston to New Orleans. Under our present *Union* we enjoy all these facilities, with the further advantage of a maritime force capable to protect, and actually protecting, our commerce in every part of the world. Disunion would deprive us, certainly, to some extent, and most probably to a great extent, of those advantages and of that protection. I cannot enlarge on the subject. A moment’s reflection will show the ruinous consequences of disunion to the commerce of Kentucky and the other Western States. The most obvious considerations of interest combine, therefore, with all that are nobler and more generous, to make the Union not only an object of attachment, but of necessity to us. Kentucky is not insensible to the causes which have produced so much sensibility and irritation with her brethren of the Southern States, nor is she without her sympathies with them. But she does not permit herself to harbor one thought against the Union. She deprecates disunion as the greatest calamity; she can see NO REMEDY in it,—none, certainly, for any grievance as yet complained of or to be apprehended. Kentucky will stand by and

abide by the Union to the last, and she will hope that the same kind Providence that enabled our fathers to make it, will enable us to preserve it. Our whole history has taught us a consoling confidence in that Providence. It becomes us, as a people, to acknowledge with gratitude and thankfulness the many signal proofs we have received of divine goodness, and to invoke the Great Ruler of events for a continuation of his favor, humbly acknowledging that without his aid the labors of man are but vain.

J. J. CRITTENDEN.

December 31, 1849.

(R. P. Letcher to J. J. Crittenden.)

WASHINGTON, November 26, 1849.

DEAR CRITTENDEN,—Things look better upon the surface for the last few days; the elements are in much less commotion; and it may be that the storm indicated will pass away for the present. But it will come, I fear, certain and sure some day. The message is made up. It was finished last night, but may possibly undergo some little pruning. I have not seen but will probably be asked to hear it read, and invited to make such commentaries as I think proper. It was intimated that the general *might probably* desire *this*. No news. Breck got here last night on his way North. *Benton* is here. I had quite an agreeable and satisfactory chat with him this morning. He said, "Sir, you must not go away until the meeting of Congress." I was utterly opposed to staying so long, and am so still. General Taylor *looks well, acts well*, and Judge Breck called to see him, and was perfectly charmed. He says "all hell can't *beat him* in the next race." Orlando is mighty busy with his Indians. I have hardly seen him for four or five days.

Your friend,

Hon. J. J. CRITTENDEN.

R. P. LETCHER.

(J. J. Crittenden to O. Brown.)

FRANKFORT, January 14, 1850.

DEAR ORLANDO,—It has been so long since I received a letter from, or written one to, you that I hardly know where or how to recommence our correspondence. I suppose I must, as the lawyers say, begin *de novo*.

I have read about two columns of your official report about your red brethren, and expect to read the residue at the first leisure moment. I congratulate you on the many compliments it has received from the public, and I now especially congratulate you on your deserving all those compliments.

Old Zack's message is characteristic. It is marked with a noble resolution and simplicity that must commend it to every

sound head and heart in the nation, and its whole matter and manner make it a model and monument.

The reports of the Hon. Secretaries are excellent, and such as ought to bring honor and strength to the administration.

I must say, however, that I differ from our friend the Secretary of War on two points of his report—namely, the *mode* of increasing the army, and the *exclusive* employment of the topographical corps in superintending all the works of improvement for which Congress may make appropriations.

As to the first, I should have preferred the raising of *new regiments* to any extent that increase of the army was necessary, thereby preserving the old policy of keeping our little army in such a *form* as to admit of great expansion in time of need under its old and experienced officers. The officers of our army may be considered as reduced in force and number by all those who are now, and who must be, stationed anywhere on the coast of the Pacific, for they are so remote as to be incapable of any co-operation with our forces on the Atlantic. I think, therefore, that the old policy ought to have been adhered to. And with me, it would have been a recommendation of this course that it would have afforded the President the opportunity of giving military appointments to some of the gallant fellows among our volunteers and temporary troops who distinguished themselves in the Mexican war.

My objection on the other point seems to me to be still stronger. Why give to the "topographical corps" *by law the exclusive or any exclusive* direction and superintendency of the public works of improvement?

Why not leave the President and his cabinet to make, according to their discretion, selections of proper superintendents? The administration must at last be responsible for the due execution of the works, and it seems to me that the choice of the agents to be employed is a part of their proper duty and patronage, and ought not to be surrendered. I see no propriety requiring such self-denying ordinances. Some of those works would require the science of the topographical corps, and then the President would employ them as a matter of course. But in other works, such as clearing out our rivers, this *science* would not be necessary, and the President should be left free to choose competent employes among his friends who did not already enjoy the benefit of public office.

I am opposed to this *monopoly* of the topographical corps for reasons public and private, general and particular. Such a monopoly would confer the *means* of great political influence, and opportunities for exercising it. How far officers of that corps might be disposed to use that influence I do not know.

But should any of them be disposed to use it, the greater probability is that it would be used against the administration, as probably every officer of that corps has received his commission from its political opponents. I by no means intend any disparagement of that corps, but am arguing only from general and natural causes. Now, though I do not desire to see any of the President's appointees playing the part of partisans, or appointed for any such purpose, I would not, on the other hand, have him and Mr. Crawford voluntarily surrendering the power of appointing their friends, and voluntarily exposing themselves to the inimical influences of those who may be their enemies. I say, therefore, that I do not see the justice or policy of giving to the topographical corps, in this instance, the *exclusive legal preference* which the secretary's report seems to concede them. I am not very conversant about such matters, and may not understand correctly the extent and import of that report, but, as I do understand it, it would exclude our friend Russell, and cut him off from any competition for the superintendency he formerly had over our river improvements. Pray let me know if that would be its effect, and if so, intercede with our friend Crawford, and tell him that Russell understands the navigation of our rivers better, and knows better how to improve it, and especially how to remove snags, than all his topographical corps together; and furthermore, that all they could do would be criticised and complained of, while all that he would do, even though not quite so well done, would, from a fellow-feeling, be praised by his fellow-boatmen. Attend to this matter, and do all that is possible to secure Russell in his expectations and hopes of being restored to his old office and employment.

Our legislature, as you know, is now in session, with nothing very interesting as yet before them, unless it be the various resolutions that are occasionally exploded concerning you Washington people and Federal affairs, disunion, slavery, etc. All these will no doubt be eventually reduced to the standard of a sound discretion and a sound patriotism. There is evidently among the members of the legislature a good deal of dissatisfaction with the late convention and the constitution they have proposed to the people. Yet it remains doubtful whether any serious opposition will be made to its adoption. I am led to believe that it would not be difficult to raise an opposition that would be very formidable, if not fatal, to the new constitution.

Our little town is very quiet, and stands just where it did and as it did when you left us. It is at this time covered with one of the deepest snows I have seen for a long time. It has been snowing for about eighteen hours. Letcher, you know, has

left us, and has left a sort of darkness behind him, which we cannot entirely dissipate.

I see that my old friend Cass is threatening him in the Senate, and rebuking the love of office. That is well. The old gentleman, as is very natural, having been surfeited with office, wonders that anybody can have any appetite for it. I hope there can be no danger of Letcher's rejection.

The two most important events of the last month were fights between David Humphreys and Philip Swigert and between Cates and Hodges; pretty well matched in both cases, and no damage done. Both, indeed, have resulted fortunately; the first led to a prompt settlement of an old quarrel, the compromise of an old lawsuit, and the reconciliation of the parties; in the other, the affair has been so far arranged that the parties when they meet are to meet as friends, and peace is established again throughout our borders.

And now, unless this long letter should be considered as a grievance and drive you into a dissolution of our Union, I shall expect a very long answer, for you can tell a great deal that I want to hear.

How do you and old Zack get along together, and how does the old general bear himself amidst the storm of opposition in Congress? Who have you become acquainted with among the members of Congress? Are Toombs and Stephens among the number? How comes on the cabinet generally and in the particular, etc.?

But first in order and above all these mere public concerns, how is your household? Do you intermeddle much in politics? How is Burnley, who has not written to me since we parted?

Your friend,

ORLANDO BROWN, Esq.

J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

NORFOLK, Sept. 6, 1850.

DEAR CRITTENDEN,—*Here* I am, and here I have been for seven long days, waiting, in the first place, to have Tom Corwin's canoe repaired, and in the second place, for more favorable winds. It is hoped we may embark to-morrow, but the Lord only knows how this may be. It would take a man of your amiable disposition to bear with Christian meekness and patience all I have borne since I left home. I have not been quite equal to it, and you know well that, next to yourself, I am decidedly the best-natured fellow living. I was forced to leave Washington without having the pleasure of an interview with the President. I regret it exceedingly. I was anxious to hold a confidential chat with him on two or three matters of

much interest. But, to rid myself of the constant, eternal, and ungodly *importunities* of some folks who were always at my heels dogging me, I felt ready to jump into the raging sea to get out of their reach. I shall use every exertion to accomplish the object of my mission, but I must tell you my hopes of success are by no means as strong as I could wish. Mexican affairs are in the most terrible disorder. My advices from that quarter are full. I wanted to see you before I left, but you were too happy in the mountains to tear yourself away. I wrote to Bob Crittenden, if he were not profitably employed, and could contrive to have his expenses paid to Mexico, *to call over there* in a month or so. For the sake of the Lord, the Virgin Mary, and all the saints, write to me. A poor man in Mexico feels unhappy in his mind without letters. Be kind enough to offer my warmest regard to the President, and tell him if it be in the power of mortal man to accomplish the objects he has so much at heart in Mexico, I intend to do that thing.

Your sincere friend,  
R. P. LETCHER.

(R. P. Letcher to J. J. Crittenden.)

MEXICO, Feb. 5, 1850.

DEAR CRITTENDEN,—Here I am in this great *bell-ringing city*, and hardly know how to employ myself. Calls upon calls, of a civil and business character, have worried me down to such a degree that I have refused to see anybody else this blessed saint's day. I can't write, I can't read, I *won't think*, and I can't sleep. In this state of half existence I will make a poor attempt to write you a sort of a letter, but it seems like writing to a man in the moon. I hope you won't see it, and lest you should, I sha'n't tell you how I feel in this ungodly city. You would laugh me to death, should we ever meet again, if I were to tell you the *half* of what I have experienced since I was fool enough to leave home. All I am willing to confess is this, if any man wants to know exactly how well he loves his wife, his friends, his country, and *the town of Frankfort in particular*, let him take a sea voyage over the renowned Gulf of Mexico, and then over the mountains in a stage with eight mules, and sometimes ten, in the team, running ten miles an hour *at that*. Then let him be called the *American minister*, let him be worried day and night by distressed, moneyless claimants, and if he is not brought to a knowledge of the truth by this process I should pronounce him an original fool. There have been more falsehoods told about this city, in some respects, than about all the rest of God's globe. The city and the surrounding country is beautiful; the valley of Puebla is also a delightful country:

but such a poor, wretched, miserable people are nowhere to be found upon the face of the earth; four-fifths of them, at least, are beasts of burden, and most of the residue are destitute of moral principle. No gentleman can live here for less than ten or twelve thousand a year; everything is dear; butter a dollar a pound. No article of diet cheap, except beans. I have seen but few of the great men. My audience takes place day after to-morrow. Between ourselves, *in confidence*, I must get away from here soon. I wrote to Clayton a private note, to obtain leave of absence for me in May. I want you to write him a line to the same effect. If I am not hemmed in by the vomito and yellow fever, I wish to go home for my family, even if I *must come back*. I won't go away if the interest of the country is to suffer by it; but it won't suffer. I don't know where I shall go,—one thing is certain, I don't mean to lay out all my salary in chickens and butter, *that's a fixed fact!* I think you might make a speculation in those articles if you would bring on a cargo. You will never know during your natural life anything about the charms of home until you take a trip to Mexico,—so just come over here and learn *wisdom*. I am the smartest man now living in the whole world, and “*no mistake*.” But I have suffered terribly in obtaining such a valuable education. I haven't heard one word from home since I left. If you are a Christian man, write to me. There are at least one hundred and fifty bells now ringing, and have been ever since four o'clock this morning. I don't know the name of the saint who causes all the fuss.

Your friend,  
R. P. LETCHER.

Hon. J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

MEXICO, March 4, 1850.

DEAR GOVERNOR,—Mr. Walsh, my secretary of legation, will hand you this line of introduction; he will spend a few days in Frankfort to ascertain if all his lands in Kentucky have been fully administered upon. Mr. Wickliffe, he tells me, was his executor. My private belief is that he won't find very much left after his executor is paid and satisfied. Mr. Walsh is on his way East; his health is bad, and spirits worse. I thought it just to let him go. I care nothing about work in this country. In fact, it is my only recreation. I want to get off from here in May. It is better *for effect* that I should be absent three or four months. Not one syllable have I received from Kentucky since the blessed hour I left. Now make the calculation! How much is it worth—in other words, what would you take—to cross the Gulf in a great *square trough*, and then travel three hundred

miles by land in a small stage, be three thousand miles from home, and remain three months without hearing one word? Will you take all my salary? If yes, then it's a bargain; but you must pay *charges*. *One charge*, to bring my carriage from Vera Cruz, two hundred and fifty dollars "*right smack bang!*" bringing horses, seventy-seven dollars,—that's cheap. I don't complain about *bills*; not at all, but give you a few items in case you wish to take the bargain. I wish I was a doctor, and could be called in to a few cases in this country; somebody would suffer. Don't ask me how I look, how I feel, or what I think. Take it for granted I look wise. I send you a small pitcher dug out of the ruins of this place; no doubt of its antiquity. I am determined to curtail every possible expense within my power. To come here and be miserable, and make nothing, would be a hard case. "*No, sirree,*" you don't catch a weasel asleep. I am *robbed* a little bit every day; but they sha'n't rob me of all my salary. If my horses turn out well I expect to get eighteen hundred for them. If I can get away upon a leave of absence for four months, I *guess* I could save *right smartly*.

Ah! my dear fellow, I thank you—I thank you for your letter of the 24th of January,—the first tidings from home since my arrival in this distant region. Your letter was handed to me just as I was about to sit down to dinner; it was twilight. I sprang from the table and ran out to the door to get light enough to read it. Oh, you have no sort of conception of the excessive delight I experienced on reading it! I had made up my figures this morning that in *nine days*, if I heard nothing from home, I should be a *maniac* to a dead and everlasting certainty. Your letter and one from my wife, received at the same moment, have saved me from that terrible misfortune. And what a rascally letter it is, *after all!* I don't see how it had the impudence to travel in company with my wife's letter. Her letter told me of her gloom, melancholy, despondency, and misery in consequence of my absence. Yours tells me of her *gayety*, cheerfulness, happiness, and good looks by reason of the same thing. What a contrast!

But I won't quarrel with you, *nohow*, I was so rejoiced to hear once more from old Kentucky. No time to finish my letter; my boy Sam will be off in a few minutes.

Your friend,

R. P. LETCHER.



(J. J. Crittenden to Governor Thomas Metcalf.)

FRANKFORT, March 25, 1850.

MY DEAR SIR,—I have received and perused with great concern your letter of yesterday, and hasten to relieve your feelings and my own as far as I can by an immediate reply. You do me but justice in supposing me incapable of betraying or deceiving so old a friend as yourself. I am, indeed, incapable of deceiving any man intentionally, and my nature would revolt from the betrayal of one whose friendship I have valued and cherished so long as I have yours. For our friend Orlando Brown I would answer as for myself. It was during the last fall that, at your written request, I addressed a letter to the Secretary of War recommending your grandson, young Campbell, for appointment as one of the cadets at West Point. You were anxious for his appointment, and I felt a sincere pleasure in contributing all I could to your gratification. I accordingly recommended him zealously, and urged his appointment not only on account of his own qualifications but on account of his hereditary claims and the great consideration that was due to you, your wishes, and your *public services*. A prompt acknowledgment of that letter was received from the War Department, which I made known to you. I do not remember whether, when I wrote that letter, I was apprised that there was or was about to be a vacancy for a cadet from your district; nor do I recollect whether I recommended your grandson in general terms as a person that ought to be appointed, or specifically for a district appointment or one of the presidential appointments. In all this I was no doubt guided by your letter requesting my recommendation. I will write immediately for a copy of my letter, and will send it to you that you may see how earnestly I recommended your grandson. Some time after all this a friend stepped into my office (then *generally thronged*), and requested me to write a recommendation of a young Mr. Lashbrook for a cadet appointment. Upon his representation I did so, and without the least thought or apprehension that he and your grandson were seeking the same place or that there was any competition between them. Had such a thought ever crossed my mind, I should never have recommended young Lashbrook. No consideration would have induced me knowingly to recommend any one in opposition to your grandson; besides, I had no motive to do so disreputable a thing. I had no personal knowledge of young Lashbrook and was under no special obligation to his father. My letter in his son's behalf passed at once from my mind, and would probably never again have been remembered but for your late letter and the untoward circumstances that now recall it to my recollection.

The whole case, I suppose, is this : I have inadvertently given a letter in favor of young Lashbrook and produced an effect that I never contemplated. It is as though I had shot an arrow which, missing the mark it was aimed at, wounded a friend, an old and valued friend. I regret it most deeply; nor can that regret be altogether removed by my confidence that you will not attribute what has happened to any design or ill intention on my part. There will still remain the regret of having fallen into a blunder. I am not willing to make the painful addition to that regret of supposing that my letter in favor of Lashbrook was the cause of his being preferred to your grandson, for there was also my more earnest letter in favor of your grandson. But I will say no more on this most unpleasant subject, and can but hope that my explanation will be satisfactory to you. It will gratify me to receive a line from you as soon as your convenience will permit,—my feelings are much disturbed by this matter.

Governor THOMAS METCALF.

Your friend, etc.,

J. J. CRITTENDEN.

## CHAPTER XXVIII.

1850.

Letter of Charles S. Morehead—R. Toombs to Crittenden—Letters of Crittenden to Letcher.

(C. S. Morehead to J. J. Crittenden.)

WASHINGTON, March 30, 1850.

MY DEAR SIR,—I received your letter of the 19th inst., for which I am very much obliged to you. All that is done here is so fully detailed in the daily papers that I need not attempt to give you an account of it. We are proceeding slowly with the debate on the absorbing topic growing out of our territorial acquisitions. I begin to believe that the whole question will be satisfactorily settled by admitting California as a State and making territorial governments for the residue of the country without the *proviso*. I regret, however, to state that we can hope for very little, if any, aid from the Whigs of the North in the House. I do not know one man that we can certainly count. There were eight or ten who promised to go with us, but I have reason to believe that the cabinet influence has drawn them off. Ewing and Meredith have evidently much feeling on the subject. Clayton, Crawford, Preston, and Johnson, I understand, will go for territorial bills. It is understood that General Taylor himself would be glad if such bills can be passed without the proviso, and would prefer such a settlement to the *non-action* policy. I cannot, however, speak from any personal knowledge on this subject. I have no doubt, however, as to the four members of the cabinet I have named. Indeed, it is indispensably necessary that it should be settled on this basis. There is not one single man from any slaveholding State who would agree to any other settlement, and I fear the very worst consequences from any attempt to force through the California bill without a full settlement. Fifty members, under our rules, can prevent the bill from being reported from the committee of the whole, where it now is, to the House. But I believe we have a decided majority for such a settlement as the South demands. There are twenty-nine Democrats from the North pledged to go with us. McClernand, from Illinois, has pre-

pared a bill upon general but private consultation, embracing all the points of difference, and will offer it as a substitute, in a few days, to the California bill. If General Taylor would take open ground for a full settlement, we could get ten or twelve Whigs from the North. I believe he only wants a suitable occasion to do so. I never have in my life had so deep and abiding a conviction upon any subject as at this moment of the absolute necessity of a settlement of this whole question. I am pained to say that I fear that there are some Southern men who do not wish a settlement. We have certainly something to fear from this source, but they are so few that I think we can do without them.

The cabinet, as you might well imagine from the present state of things, receives no support from any quarter. John Tyler had a corporal's guard who defended him manfully, but the cabinet has not *one* man that I can now name. Each member of the cabinet has a few friends, but I do not know one man who can be called the friend of the cabinet. I apprehend that they are not even friendly to each other. You may have noticed in the *Union*, if you ever read it, a charge against Ewing for having allowed a very large claim in which Crawford was interested personally to the extent of one hundred and seventeen thousand dollars. It turned out that Mr. Ewing had nothing to do with it; that Whittlesey reported that there was nothing due, and Meredith, in accordance with the opinion of the Attorney-General, allowed it. Now, Ewing, if I am not mistaken (but conjecture on my part, I acknowledge), through his friends is attacking Crawford for having a claim acted on in which he was interested while a member of the cabinet. Upon the whole, I am clearly of opinion that there is but one safe course for General Taylor to pursue, and that is to reconstruct his whole cabinet. I am perfectly satisfied that he cannot carry on the government with his present ministers. Your name and that of Winthrop and of Webster have been spoken of as Secretary of State in the event of a change; but if I had to make a full cabinet I could not do it satisfactorily to myself. I am inclined to think that Mr. Webster would like to be Secretary of State, not from anything I ever heard him say but from occasional remote intimations from his friends. Just at this time his appointment would be exceedingly popular in the South. I wish most sincerely that you were here. We are altogether in a sad, sad condition. There is no good feeling between Mr. Clay and General Taylor, and I am afraid that meddling and busybodies are daily widening the breach. I keep entirely aloof, taking especial and particular pains to participate in no manner whatever in the feeling on the one side

or the other. I hear all, at least on one side, and try always to reconcile rather than widen the breach. I have sometimes, however, thought that a want of confidence in me resulted from the fact of my being his immediate representative. I may be mistaken—probably am; it may arise altogether from a less flattering consideration. At all events, I have never been able to converse *one minute* with the President upon politics without his changing the subject, so that when I see him now I never, in the remotest manner, allude to political matters.

March 31st. Not finishing my letter last night, I have to add this morning the news, which you will no doubt hear long before this reaches you, of Mr. Calhoun's death. He died this morning at eight o'clock. I do not yet clearly see what effect his death is to have on political events. He was firmly and, I suppose, honestly persuaded that the Union ought to be dissolved. I understand that he has prepared a paper showing that the only salvation of the South is by disunion. It is said to be a very strong and dangerous argument, placing the whole matter upon the ground that there can be no security for our property by any other possible or attainable means, and that the South has all the elements of unbounded prosperity without the Union; while with it it is fast assuming a mere provincial character, impoverishing itself to aggrandize the North. I do not, of course, know that this rumor is true, but I believe it is. This was the purport of a conversation he held with Mr. Toombs a few days ago. He told him he would not live this session out, and that he must leave to younger men the task of carrying out his views. A pamphlet has recently been published in Virginia calculated to do much mischief. It is an argument for disunion with an array of pretended facts, which, if true, or if not shown to be unfounded, I think would produce a very great effect. Mr. Clay told me that he thought it the most dangerous pamphlet he ever read.

Our Northern friends are blind, absolutely blind, to the real dangers by which we are surrounded. They don't want to believe that there is any danger, and in general they treat the whole matter as mere bravado and as scarcely worth notice. I concur this far with them, that it is *utterly impossible* formally to dissolve this Union, and it never will be dissolved by any convention or by any declaration of independence. The dissolution must precede these things if it ever does take place. The fear I entertain is of the establishment of mere sectional parties, and the commencement of a system of retaliatory local or State legislation. You may have seen that this has been already recommended by the governor of Virginia. If the slave question should not be settled, there is scarcely a Southern State

that will not pass laws to prevent the sale of Northern products by retail in its limits. The decision of the Supreme Court, in the case of *Brown vs. Maryland*, declaring the unconstitutionality of taxing the imports of another State, contains some dictum of the right of a State to tax such imports after they have become incorporated with the property of the State. The whole proceeding would doubtless be a violation of the spirit, if not the letter, of the Constitution. But what is it that men will not do when smarting under real or imaginary grievances? You may think that I am inclined to be gloomy, but I do most solemnly believe that disunion will ensue, and that more speedily than any man now has any idea of, if there should be a failure of an amicable settlement. You cannot be surprised, then, that my whole heart and soul are engaged in the effort to bring this about. I feel as you do about the Union, as I know that Kentucky does, and it *must* be preserved at the sacrifice of all past party ties. I am perfectly sure, from the most mature and calm consideration, that there is but one way of doing this. The North must give up its apparently determined purpose of making this general government assume an attitude of hostility to slavery. We cannot prevent individual agitation and fanaticism, but I think we have the undoubted right to ask that a common government shall not, in its action, become hostile to the property of a large portion of its own citizens.

Mr. Clay sent for old Mr. Ritchie, and had a long and confidential conversation with him upon this subject. The tone of the *Union* is evidently changed since that time. You may have noticed that he speaks much oftener in favor of union than he did. This is not generally known, and of course I do not wish it spoken of as coming from me. I have written you a long letter, which may occupy some of your dull moments at Frankfort. I wrote to your new Secretary of State some time ago, which he has never answered. I hope in the enjoyment of his new honors he has not forgotten his old friends.

I remain very truly and sincerely your friend,

C. S. MOREHEAD.

(R. Toombs to J. J. Crittenden.)

WASHINGTON, April 25, 1850.

DEAR CRITTENDEN,—I have been thinking for several months that I would write to you, but as I did not wish to annoy you with disagreeable intelligence, I deferred it, hoping that events would open up a better prospect for the future. That expectation has not yet been realized. "It were a tale too long" to detail all the blunders of the cabinet, which have brought the Whig party to the brink of ruin; but of the special question upon

which their policy has nearly estranged the whole Whig party of the South it is proper to give you some brief hints, that you may understand our position. During the last summer, the government, with the consent of the whole cabinet, except Crawford, threw the *entire patronage* of the North into the hands of Seward and his party. This was done under some *foolish idea* of Preston's, that they would get rid of a Northern competition for 1852, as Seward stood for 1856. The effect of this was to enable Seward to take the entire control of the New York organization, and force the whole Northern Whig party into the extreme anti-slavery position of Seward, which, *of course*, sacked the South. I knew the effect of this policy would certainly destroy the Whig party, and perhaps endanger the Union. When I came to Washington, I found the whole Whig party expecting to pass the proviso, and that Taylor would *not veto it*, that thereby the Whig party of the North were to be built up at the expense of the Northern Democracy, who, from political and party considerations, had stood *quasi* opposed to the proviso. I saw General Taylor, and talked fully with him, and while he stated he had given and *would give* no pledges either way about the proviso, he gave me *clearly* to understand that if it was passed he would sign it. My course became instantly fixed. I would not hesitate to oppose the *proviso*, even to the extent of a dissolution of the Union. I could not for a moment regard any party considerations on the treatment of the question. I therefore determined to put the test to the Whig party and abandon its organization upon its refusal. Both events happened to defeat this policy; it was of the first importance to prevent the organization of the House going into the hands of the Northern Whig party. I should have gone to any extent to effect that object,—they foolishly did it themselves. Without fatiguing you with details, my whole subsequent course has been governed by this line of policy. I have determined to settle the question honorably to my own section of country, *if possible*, at any and every hazard, *totally* indifferent to what might be its effect upon General Taylor or his administration. In the course of events, the policy of the cabinet has vacillated *to* and *fro*, but has finally settled upon the ground of admitting California, and *non-action* as to the rest of the territories. Seward and his party have struck hands with them on this policy, but Stanly is the only Southern Whig who will stand by them. I think it likely the course of events may throw the whole of the Southern Whigs into opposition,—such a result will not deter us from our course. We are willing to admit California and pass territorial governments on the principle of McClernand's bill; we will never take less. The government, in

furtherance of their stupid and treacherous bargain with the North, are endeavoring to defeat it; with their aid we could carry it, as more than twenty-five Northern Democrats are pledged to it. They may embarrass us, possibly may defeat us, but our defeat will be their ruin. The cabinet have intense hostility to Mr. Clay, and I think it likely *we*, and the country, will be greatly benefited by the feud, inasmuch as it makes Clay the more anxious to conform to the interests of his own section and of the Southern Whigs, and this the rather because the government has the whip hand of him (through Seward) with the Northern Whigs. The Senate's committee will, I think, agree upon propositions which will pass; this can only be defeated by the want of common sense and common prudence on the part of Mason, Butler, and others of that "*ilk*" in both houses of Congress, and the efforts of the *administration*. But as to the latter it is but candid to say that they have little power, either for good or evil. For some reason, wholly unaccountable to me, the Northern members of the cabinet are universally *odious*, even to the Northern Whigs. Clayton is a dead body tied to the concern. Johnson is honorable and clever, but without wisdom. Preston is speculative, and, what is worse, has no sentiment in common with the section which he represents. Crawford alone is true and faithful to the honor and interest of our section, and the late scene about the Galphin claim is an effort of men in the service of government to drive him out. He is the last link that binds a majority of the Southern Whigs to the government, and I have no doubt but they will soon make it inconsistent with his own honor to remain there. I have thus given you a brief outline of men and parties in the government. I have said nothing of General Taylor; my opinion is that he is an honest, well-meaning man, but that he is in very bad hands, and his inexperience in public affairs, and want of knowledge of men, is daily practiced upon, and renders him peculiarly liable to imposition. I think there has been a studied effort to alienate him from his original friends, and that it has been eminently successful; time will show that he and not they will suffer most by that alienation. Morehead is now making a good speech at my back, and has perhaps, to some extent, destroyed the continuity of my narrative. Let me hear from you.

I am truly your friend,

R. TOOMBS.

(J. J. Crittenden to A. T. Burnley.)

FRANKFORT, April 29, 1850.

DEAR BURNLEY,—I reached home last night, and found a letter from our friend Orlando Brown, which explains some-



what the causes for which you have been called back to Washington. I trust that you will be able to reconcile all differences and difficulties, and give a right direction to things. It is important to the country, to the administration, and to the interests of the friends that are engaged in the *Republic*, to whom I am greatly attached.

From what I understand, it is a settled matter that the cabinet is to remain unchanged, and I think you will agree that but little good could be expected from any imaginable new cabinet that could be formed in the midst of the present tumult and discord in the political world, increased by the disruption of the present cabinet. What remains, then, for those who, though dissatisfied with the cabinet, are the friends of General Taylor and his cause, but to yield up that dissatisfaction, and for the sake of old Zack and his cause to go thoroughly to the work in their support? I would not have a gentleman for any consideration to concede his honor or his independence; but still, in public life, where the opinions and feelings of many must be consulted and conciliated, there is a necessity for many concessions. It is a false and unwise pride that would refuse these concessions where they relate to mere questions of expediency or opinion, and are necessary to that union and harmony without which nothing good or great can be accomplished in public affairs. Your own good sense and your generous feelings of attachment to General Taylor would have suggested to you all that I have or could say on this subject, and it is only out of my great solicitude that there should be no break between the President and the *Republic* that I have written at all. I trust you will do all you can to prevent any such break.

I shall feel great impatience and anxiety till I hear from you.

Your friend,

J. J. CRITTENDEN.

(J. J. Crittenden to Orlando Brown.)

FRANKFORT, April 30, 1850.

DEAR ORLANDO,—On my return, last Saturday, from Louisville, where I had been spending some days, I found your letter. I perused it with the most painful interest. My heart is troubled at the discord that seems to reign among our friends. Burnley will be in Washington when this reaches you, and with his good sense and his sincere devotion to General Taylor will be able to settle all difficulties about the *Republic*, and give to it a satisfactory and harmonious direction. The editors of that paper are the friends of General Taylor, and if his cabinet is not altogether what they could wish, they ought, for his sake and the sake of his cause, to waive all objections on that score. Concession among

friends is no sacrifice of independence. The temper to do it is a virtue, and indispensable to that co-operation that is necessary to political success. I do not, of course, mean that any man, for any object, ought to surrender essential principles, or his honor; but in this instance nothing of that sort can be involved. The utmost differences of the parties must consist of personal feelings, or disagreements in opinion about expediencies. If even an old Roman could say, and that, too, with continued approbation of about twenty centuries, that he had rather *err* with Cato, etc., I think that we, his friends, one and all of us, ought to give to General Taylor the full benefit of that sentiment, and strengthen him thereby to bear the great responsibility we have placed upon him. Cato himself was not more just or illustrious than General Taylor, nor ever rendered greater services to his country. When I read your account of that interview, in which he uttered the indignant complaints extorted from him by contumely and wrong, I felt, Orlando, that scene as you did, when you so nobly described it,—my heart burned within me. It is not with such a man, so situated, that friends ought to stand upon niceties, or be backward in their services. The men of the *Republic* will not, I am certain. They are men of the right *grit*, and I assure myself that all will be amicably arranged and settled with them. The course pursued in Congress towards General Taylor and his cabinet will, I think, react in their favor, and out of the very difficulties that surround him he will triumph, as he has triumphed before. This is my hope and my faith. The committees intended to persecute and destroy, will strengthen and preserve, the cabinet, and the slavery question settled, the friends that it has dispersed will return to the standard of old Zack.

I am sorry that you intend to resign your office so soon. I am satisfied that you are useful to General Taylor, and that your leaving Washington will deprive him of a great comfort. There must be something soothing in escaping occasionally from the stated and formal consultations of the cabinet and indulging in the free and irresponsible intercourse and conversation of a trusted friend. Who is to succeed you when you resign? Every one, I believe, feels some particular concern in his successor, as though it were a sort of continuation of himself. If you have not committed yourself otherwise, I should be pleased to see Alexander McKee, the clerk of our county of Garrard, succeed you. You know him, I believe. He is the near relation of Colonel McKee, who fell at Buena Vista, a man of business and a bold and ardent friend of General Taylor. If you are willing and will advise as to the time and course, he will probably visit Washington and endeavor to obtain the

office. Let me hear from you on this subject. I think you will yet be offered the mission to Vienna, and that you ought not to decline so fine an opportunity of visiting the Old World.

It seems to me evident that the slavery question must now soon be settled, and that upon the basis of admitting California and establishing territorial governments without the Wilmot proviso. If this fails, great excitement and strife will be the consequence, and all will be charged, right or wrong, to the opposition of the administration to that plan. In the present state of things, I can see no inconsistency in the administration's supporting that plan. It is not in terms the plan recommended by the President, but it is the same in effect, and modified only by the circumstances that have since occurred. General Taylor's object was to avoid and suppress agitation by inaction, and by leaving the slavery question to be settled by the people of the respective territories; but the temper of the times was not wise and forbearing enough to accept this pacific policy. To promote this policy, General Taylor was willing to forego what, under ordinary circumstances, would have been a duty, the establishment of territorial governments. But what has since happened, and what is now the altered state of the case? The agitation which he would have suppressed has taken place, and, instead of the forbearance recommended by him, a course of action has been taken which must lead to some positive settlement, or leave the subject in a much worse condition than it has ever been. Here, then, is a new case presented; and it seems to me that the grand *object* exhibited in the President's recommendation will be accomplished by the admission of California and the establishment of territorial governments without the Wilmot proviso. The prime object was to avoid that proviso and its excitements by inaction; but any course of action that gets rid of that proviso cannot be said to be inconsistent with the object in view. The only difference is in the means of attaining the same end, and that difference is the result of the altered state of the subject since the date of the President's message. In the attainment of so great an object as that in question, the peace and safety of the Union, it will, as it seems to me, be wise and magnanimous in the administration not to be tenacious of any particular plan, but to give its active aid and support to any plan that can effect the purpose. I want the plan that does settle the great question, whatever it may be, or whosoever it may be, to have General Taylor's *Imprimatur* upon it.

I shall expect letters from you with impatience.

Your friend,

TO O. BROWN.

J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

MEXICO, May 6, 1850.

DEAR CRITTENDEN,—Ah, my dear governor! not quite so fast. You have pulled trigger a little too quick. There is no discrepancy between my speech and my letters. What a man says in his official capacity is one thing, and what he has a right to say in his private capacity is quite another thing,—it's all "as straight as a gun-barrel." *I spoke for the United States*, and am in no way responsible for what I said as *an advocate*; mind, *I appeared as counsel*. I reserve my defense till my return. If Clayton is a tender-hearted man, he will give me leave to return in October. I could not go now if I had leave, because of the crowd of business,—because, also, of the vomito. I am surprised, disappointed, and mortified exceedingly to hear that you are all taking the rounds, eating and drinking just as merrily and as happily as if I were with you. It is too bad, really. Had the good ship Walker been cast away, sure enough I don't believe it would have made a single *swallow less*, particularly of the *liquids*, among the whole squad of you. What a prolific topic of reflection does this furnish to one of my tender sensibilities, whose vanity had prompted him to suppose his absence would make a *vacuum* in the social circle that time itself would hardly ever fill up! Nobody died of a broken heart, nobody shed a tear, nobody lost a meal, or even a drink,—in fact, *increased* their drinks when it was fully believed I was food for the sharks in the Gulf of Mexico; and if this *had been so*, by this time the whole matter would have been *utterly forgotten*. Well, all I can say is, my friends can stand trouble and loss better than any other man's friends *living*. A noble set of fellows they are! I am as *bad off* as Orlando Brown was in Washington, when he took it into his head that the Frankfort people were glad he had left, and asked me to tell him candidly how it was. I told him he was right, and the only fear was that he might possibly come home. I am not altogether happy in my mind, but I don't wish my rascally friends to know that, they might think it was on that account,—not a bit of it! My depression is owing to the deep interest I feel for my country. Write to me often, write me the longest sort of letters. The Prussian minister just called to take a last farewell. A noble fellow he is! It was quite a *tender scene*. I shall miss that man more than any human being in this city. I have had one of Bob's and Harry's hams boiled, and I eat it *twice a day*,—no eating three times a day in this country. Bankhead and his wife are here; they are more broken down than any couple I know. I am distressed to look at them.

Your friend,

R. P. LETCHER.

Hon. J. J. CRITTENDEN.

(J. J. Crittenden to Orlando Brown.)

FRANKFORT, May 18, 1850.

MY DEAR SIR,—Your letter of the 9th inst. was duly received, and, by the telegraph, we already know that all you taught me to expect has come to pass. The *Republic* has changed hands, and Mr. Hall has succeeded the former editors. It is to be greatly regretted that there should be any motive or cause for such a movement. Not that Mr. Hall is not very competent and worthy, but the regret is that there should have been any disagreement between the retiring editors and the administration. I had hoped that Burnley's mediation might have reconciled all differences, and that our friend Bullitt's known attachment to the President would have made him forego all his objections to the cabinet. The extent of his objections I do not know, nor do I mean to blame him, for I am very certain that he has acted from honest convictions and motives. But I must say, at the same time, that for myself I am not sensible of any objections that require such an opposition to the cabinet. Indeed, I doubt very much whether General Taylor could select another cabinet of more ability, or character, or personal worth. But I do not mean to make comments on the subject. The storm that has just passed by will be followed, I hope, by that calm that usually compensates for its ravages; and I trust that we shall yet see the administration emerging successfully from the difficulties that now surround it.

I shall be delighted to see you at home, but this is overcome by the absolute sadness I feel at your quitting old Zack at such a time, when, perhaps, he most requires the comfort and assistance of your society and counsel. I received Robert's letter yesterday. You may tell him so, and his children and all are well. I have not another word to say about his affairs and solicitations at Washington. Under a *first impulse* I said and wrote much more than I ought. Hereafter he can only have my good wishes, and must depend on himself. I must not be mixed up with any office-seeking for my own family.

I have written to our friend Mr. Richard Hawes, apprising him of your views and wishes, and inquiring whether he would be willing, in the event of your resignation, to accept your present office. I have not yet received his answer, but I anticipate, from many conversations with him, that he will not accept it. If he will, he is the very man, and the man of my choice. Without much acquaintance with Mr. Alexander McKee, I had formed a kind opinion of him, and supposed, from information, that he was very much a man of business. In a conversation last winter, I mentioned that it was not expected by your friends that you would continue long in office, and

suggested to him the vacancy as one that would very well suit him. But little more was then said on the subject, and nothing since has passed between us about it. I am told that he went through the place a few days ago, on his way to the East, but he did not call on me, and I know not his object. I have heard that his thoughts have been turned of late towards California, and an office at Washington may not now be desirable to him; and in the present uncertainty I have no more to say about it. He is not apprised of what I lately wrote to you in his behalf.

I wish that before you leave Washington you would especially take it upon yourself to have something clever done for our friend, Mr. George W. Barbour, a senator in our General Assembly from the Princeton district. You recollect him, I hope. He is a fine-looking, high-spirited, and noble-hearted fellow,—a lawyer by profession, and of fair capacity. He is poor, and too modest and proud to seek for office, though he wants it. He is an ardent and *thorough Taylor-man*. Now, what can be done for such a man? I have undertaken to be his intercessor, and have written in his behalf time and again to Clayton, and perhaps to others, but, so far, have not got even any answer relating to him. A *chargé-ship* to anywhere in South America would be very acceptable to him; so would a judgeship in any of our territorial governments, or the office of secretary in those governments. Now, this is a wide range; there are many offices in it, and mighty few such clever fellows anywhere as Barbour. The place that that fellow *Meeker* was slipped into, and ought to be slipped out of, would suit poor Barbour exactly, and he is worthy of it. I have told Barbour that he must be patient, and that I was certain something would, sooner or later, be done for him. It begins to be the "later," and nothing is yet done. The last alternative is to try and get you to make up this business and do something in it.

Your friend,

O. BROWN, Esq.

J. J. CRITTENDEN.

P.S.—I can do nothing more with Clayton in Barbour's case but quarrel with him, and that I don't want to do,—first, because he is a stout fellow and might whip me; secondly, I like the fellow.

J. J. C.

(J. J. Crittenden to Orlando Brown.)

FRANKFORT, June 7, 1850.

DEAR ORLANDO,—I returned last Sunday from Indianapolis after a week's absence. Nothing could exceed the kindness and hospitality which attended me throughout the State. The receptions and honors with which they endeavored to distinguish me were almost overwhelming to one so plain as I am and so unaccustomed to such ceremonies and distinctions. I feel that

I owe to Indiana and her governor a great debt of gratitude. In that State there is very little political abolition, and, with a strong and patriotic feeling for the Union, there is mingled a particularly fraternal kindness and affection for Kentucky. The prevailing sentiment there is for a compromise and amicable settlement of all the slavery question. The plan suggested in General Taylor's message was spoken of frequently as most acceptable, but I think they would be satisfied with Mr. Clay's bill. In my speech at Indianapolis I spoke of *old Zack* as the *noble old patriot* in whom the country might have all confidence, and, without discriminating between the various plans that had been proposed, I expressed my hope and confidence that they would result in some form of amicable adjustment. The occasion required me to avoid, as far as possible, the appearance of partisanship or party politics; but it was *due to my heart* to give *old Zack* a *good word*, and I did it. I felt it a duty, too, to talk right plainly to them about abolition and the mischiefs that its meddlesome and false humanity had brought and was tending to bring upon the country. I went so far as to advise those who, from tenderness of conscience about slavery, could not acquiesce in what our fathers had done, and could not reconcile themselves to the Constitution of the United States and the performance of the duties it enjoined, *to quit the country*, etc. All this seemed to be well received except, as I learned afterwards, by some half-dozen abolitionists out of a crowd of as many thousand. The convention is in session, and I have scarcely time to steal a moment to write to you.

*Well, you have resigned.* It makes me *glad*, and it makes me *sorry*; *glad* that you are coming back to us,—*sorry*, that you are leaving General Taylor. The difficulties that are surrounding him only tend to increase my sympathy and zeal for him, and I retain my confidence that the storm will rage around him in vain, and that his firm and resolute integrity and patriotism will bear him through triumphantly. There is one *peril* before him that is to be carefully avoided, and that is the *peril* of having thrown upon his administration the responsibility of defeating the *bill* of the *committee of thirteen* or any other measure of compromise. It has appeared to me that the principal questions of the slavery controversy might have been disposed of more quietly and easily on the plan recommended by the President; but the people are *anxious* for a *settlement*, and comparatively indifferent as to the exact terms, provided they embrace anything like a compromise; and it seems to me that any concession or sacrifice of opinion as to the *mode* ought to be made to accomplish the *end*. It is not necessary to enlarge upon this subject. General Taylor's message is the *foundation* of all their plans in this, that

it *avoids* the Wilmot proviso ; all the rest is the mere *finish* of the work. *My whole heart* is bent on the success of General Taylor. I know that he deserves it, and believe he will achieve it. Tell Robert his little girls are gay as birds, and are continually dragging me into the garden to pull *strawberries* with them. I have taken poor Bob's disappointment quite to heart; but let that go.

Your friend,  
J. J. CRITTENDEN.

(J. J. Crittenden to A. T. Burnley.)

July 19, 1850.

DEAR BURNLEY,—I returned from Louisville last evening, where I was suddenly summoned a few days ago to attend the sick and, as was then supposed, dying bed of my son-in-law, Chapman Coleman. I left him much improved, and, as the doctors induced me to hope, out of danger, though still quite ill. This absence delayed the receipt of your telegraphic dispatches, in which you ask me if I will accept the office of Attorney-General, and say that it is important I should answer immediately. A little reflection will show you the difficulty of answering this communication with the telegraphic brevity of a "yes" or "no." Indeed, I find much of the same difficulty in responding to you in any mode. You are upon the spot, and with a nearer and better view of the condition of things. You give me no intimation of your opinions or wishes ; nor do you give me to understand that the inquiry was made at the suggestion or by the authority of the President or any other official. I must therefore understand it as more an inquiry of your own, in order, perhaps, to enable you and other friends to press me more effectually for the office. If this be the object and purpose, I could not answer you affirmatively without in substance seeking the office for myself. That I am not willing to do, either in form or substance, directly or indirectly. I would not for any consideration subject myself to the imputation of endeavoring to force or solicit my way into the cabinet of Mr. Fillmore. There are stations that can be neither agreeably nor usefully occupied except by persons having the personal good will and confidence of the President. My relations with Mr. Fillmore have always been of the most agreeable and amicable character, and I hope they may continue so. It seems to me that if he pleased to desire my acceptance of the office of Attorney-General, the most proper course would be for him to tender it to me ; and that the most proper and becoming course for me would be to wait till it was tendered. The tender would then be most honorable to both parties, and certainly most



gratefully received by me. I feel that before such an offer it would be indelicate in me to say that I *would* or *would* NOT *accept*. You will appreciate all this without any explanation, and so I shall leave the subject. There is no confidence, Burnley, that I fear to repose in you; and if it should appear to you that there is too much of reserve in this letter to be used towards an old and well-tried friend, I wish you to understand that it is intended to apply to the subject only, and to keep distinct and clear the line of conduct that I sincerely desire to pursue in relation to this matter.

My situation now is not exactly what it was when I declined an invitation to go into the cabinet of General Taylor; and to you, as my friend, my personal friend, I may say that my impression is that I should accept the office if tendered to me; but I will have no agency in seeking or getting it; nor do I wish my friends to place me in any attitude that can be construed into any such seeking; nor do I wish them to give themselves any trouble about the matter. If the offer of the office comes freely and without solicitation, then it comes honorably, and may be taken the more honorably. I think you will now understand me fully, and I have only to add that I am always your friend,

J. J. CRITTENDEN.

To A. T. BURNLEY, Esq.

## CHAPTER XXIX.

1850-1853.

Letter of Crittenden to his Daughter Mrs. Coleman—Entered the Cabinet of Mr. Fillmore, as Attorney-General, in 1850—Judicial Opinion as to the Constitutionality of the Fugitive Slave Law—Eulogy upon Judge McKinley in Supreme Court—Letters.

(J. J. Crittenden to his daughter A. M. Coleman.)

FRANKFORT, July 23, 1850.

MY DEAR DAUGHTER,—Doubly near and dear to me in your affliction, I do not know how to address you, or to express my sympathy in your great calamity. You will find, my child, in your own heart and in your own reflections the only real consolations. If, as I believe, this life is but a state of preparation and probation, *happiest is he* who, having done his duty like a man and a Christian, is soonest relieved from it. You have every reason to be assured that such is the fortunate lot of that husband of whom death has deprived you. That very excellence, which you mourn the loss of, will become a source of comfort and consolation to your heart. The death of your husband has placed you under great responsibilities, and left you many duties to perform. Turn, then, courageously to the performance of those duties, and in their performance you will find strength and consolation. You will feel, too, the high and pleasant consciousness that you are thereby best gratifying and manifesting your respect and devotion to the memory of your husband. He has enjoined it upon you to take his place in respect to your children, and to be to them as a father and mother also. You will, I know, consider this a sacred duty, and will not abandon it by giving yourself up to unavailing grief. I had intended to go to Louisville, to-morrow, to see you, but, upon consultation with Harry, it is decided to be best to postpone my visit for about a week; *then*, perhaps, I may be more serviceable to you than *now*. Your mother will probably accompany me. Farewell, my dear child.

J. J. CRITTENDEN.

Mrs. A. M. COLEMAN.

After the death of General Taylor, Mr. Crittenden accepted

the office of Attorney-General, under Mr. Fillmore, appointed July 22, 1850, and remained in that office till the close of Mr. Fillmore's administration in 1853.

The following is his opinion as to the constitutionality of the fugitive slave bill, given September 18, 1850:

#### CONSTITUTIONALITY OF THE FUGITIVE SLAVE BILL.

The provisions of the bill, commonly called the fugitive slave bill, and which Congress have submitted to the President for his approval and signature, are not in conflict with the provisions of the Constitution in relation to the writ of *habeas corpus*.

The expressions used in the last clause of the sixth section, that the certificate therein alluded to "shall prevent all molestation" of the persons to whom granted, "by any process issued," etc., probably mean only what the act of 1793 meant by declaring a certificate under that act a sufficient warrant for the removal of a fugitive; and do not mean a suspension of the writ of *habeas corpus*. There is nothing in the act inconsistent with the Constitution, nor which is not necessary to redeem the pledge which it contains, that fugitive slaves shall be delivered upon the claim of their owners.

ATTORNEY-GENERAL'S OFFICE,  
September 18, 1850.

SIR,—I have had the honor to receive your note of this date, informing me that the bill, commonly called the fugitive slave bill, having passed both houses of Congress, had been submitted to you for your consideration, approval, and signature, and requesting my opinion whether the sixth section of that act, and especially the last clause of that section, conflicts with that provision of the Constitution which declares that "the privilege of the writ of *habeas corpus* shall not be suspended unless when, in cases of rebellion or invasion, the public safety may require it."

It is my clear conviction that there is nothing in the last clause, nor in any part of the sixth section, nor, indeed, in any of the provisions of the act, which suspends, or was intended to suspend, the privilege of the writ of *habeas corpus*, or is in any manner in conflict with the Constitution.

The Constitution, in the second section of the fourth article, declares that "no person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but *shall* be delivered up on claim of the party to whom such service or labor may be due."

It is well known and admitted, historically and judicially, that this clause of the Constitution was made for the purpose of securing to the citizens of the slaveholding States the complete ownership in their slaves, as property, in any and every State or Territory of the Union into which they might escape. (*Prigg vs. Commonwealth of Pennsylvania*, 16 Peters, 539.) It devolved

on the general government, as a solemn duty, to make that security effectual. Their power was not only clear and full, but, according to the opinion of the court in the above-cited case, it was *exclusive*,—the States, severally, being under no obligation, and having no power to make laws or regulations in respect to the delivery of fugitives. Thus the whole power, and with it the whole *duty*, of carrying into effect this important provision of the Constitution, was with Congress. And, accordingly, soon after the adoption of the Constitution, the act of the 12th of February, 1793, was passed, and that proving unsatisfactory and inefficient, by reason (among other causes) of some minor errors in its details, Congress are now attempting by this bill to discharge a constitutional obligation, by securing more effectually the delivery of fugitive slaves to their owners. The sixth, and most material section, in substance declares that the claimant of the fugitive slave may arrest and carry him before any one of the officers named and described in the bill; and provides that those officers, and each of them, shall have *judicial* power and jurisdiction to hear, examine, and decide the case in a summary manner,—that if, upon such hearing, the claimant, by the requisite proof, shall establish his claim to the satisfaction of the tribunal thus constituted, the said tribunal shall give him a certificate, stating therein the substantial facts of the case, and authorizing him, with such reasonable force as may be necessary, to take and carry said fugitive back to the State or Territory whence he or she may have escaped,—and then, in conclusion, proceeds as follows: “The certificates in this and the first section mentioned, shall be conclusive of the right of the person or persons in whose favor granted to remove such fugitive to the State or Territory from which he escaped, and shall prevent all molestation of such person or persons by any process issued by any court, judge, magistrate, or other person whomsoever.”

There is nothing in all this that does not seem to me to be consistent with the Constitution, and necessary, indeed, to redeem the pledge which it contains, that such fugitives “shall be delivered up on claim” of their owners.

The Supreme Court of the United States has decided that the owner, independent of any aid from State or national legislation, may, in virtue of the Constitution, and his own right of property, seize and recapture his fugitive slave in whatsoever State he may find him, and carry him back to the State or Territory from which he escaped. (*Prigg vs. Commonwealth of Pennsylvania*, 16 *Peters*, 539.) This bill, therefore, confers no right on the owner of the fugitive slave. It only gives him an appointed and peaceable remedy in place of the more exposed and inse-

cure, out not less lawful mode of self-redress; and as to the fugitive slave, he has no cause to complain of this bill,—it adds no coercion to that which his owner himself might, at his own will, rightfully exercise; and all the proceedings which it institutes are but so much of orderly, judicial authority interposed between him and his owner, and consequently of protection to him, and mitigation of the exercise directly by the owner himself of his personal authority. This is the constitutional and legal view of the subject, as sanctioned by the decisions of the Supreme Court, and to that I limit myself.

The act of the 12th of February, 1793, before alluded to, so far as it respects any constitutional question that can arise out of this bill, is identical with it. It authorizes the like arrest of the fugitive slave, the like trial, the like judgment, the like certificate, with the like authority to the owner, by virtue of that certificate as his warrant, to remove him to the State or Territory from which he escaped, and the constitutionality of that act, in all those particulars, has been affirmed by the adjudications of State tribunals, and of the courts of the United States, without a single dissent, so far as I know. (*Baldwin, C. C. R.* 577, 579.)

I conclude, therefore, that so far as the act of the 12th of February, 1793, has been held to be constitutional, this bill must also be so regarded; and that the custody, restraint, and removal to which the fugitive slave may be subjected under the provisions of this bill, are all lawful, and that the certificate to be granted to the owner is to be regarded as the act and judgment of a judicial tribunal having competent jurisdiction.

With these remarks as to the constitutionality of the general provisions of the bill, and the consequent legality of the custody and confinement to which the fugitive slave may be subjected under it, I proceed to a brief consideration of the more particular question you have propounded in reference to the writ of *habeas corpus*, and of the last clause of the sixth section, above quoted, which gives rise to that question.

My opinion, as before expressed, is that there is nothing in that clause or section which conflicts with or suspends, or was intended to suspend, the privilege of the writ of *habeas corpus*. I think so because the bill says not one word about that writ; because, by the Constitution, Congress is expressly forbidden to suspend the privilege of this writ, "unless when in cases of rebellion or invasion the public safety may require it;" and therefore such suspension by this act (there being neither rebellion nor invasion) would be a plain and palpable violation of the Constitution, and no intention to commit such a violation of the Constitution, of their duty and their oaths, ought to be imputed

to them upon mere constructions and implications; and thirdly, because there is no incompatibility between these provisions of the bill and the privilege of the writ of *habeas corpus* in its utmost constitutional latitude.

Congress, in the case of fugitive slaves, as in all other cases within the scope of its constitutional authority, has the unquestionable right to ordain and prescribe for what causes, to what extent, and in what manner persons may be taken into custody, detained, or imprisoned. Without this power they could not fulfill their constitutional trust, nor perform the ordinary and necessary duties of government. It was never heard that the exercise of that legislative power was any encroachment upon or suspension of the privilege of the writ of *habeas corpus*. It is only by some confusion of ideas that such a conflict can be supposed to exist. It is not within the province or privilege of this great writ to loose those whom the *law* has bound. That would be to put a writ granted by the law in opposition to the law, to make one part of the law destructive of another. This writ follows the *law* and obeys the *law*. It is issued, upon proper complaint, to make inquiry into the causes of commitment or imprisonment, and its sole remedial power and purpose is to deliver the party from "all manner of *illegal* confinement." (3 *Black. Com.* 131.) If upon application to the court or judge for this writ, or if upon its return it shall appear that the confinement complained of was *lawful*, the writ, in the first instance, would be refused, and in the last the party would be remanded to his former *lawful* custody.

The condition of one in custody as a fugitive slave is, under this law, so far as respects the writ of *habeas corpus*, precisely the same as that of all other prisoners under the laws of the United States. The "privilege" of that writ remains alike to all of them, but to be judged of—granted or refused, discharged or enforced—by the proper tribunal, according to the circumstances of each case, and as the commitment and detention may appear to be legal or illegal.

The whole effect of the law may be thus briefly stated: Congress has constituted a tribunal with exclusive jurisdiction to determine summarily and without appeal who are fugitives from service or labor under the second section of the fourth article of the Constitution, and to whom such service or labor is due. The judgment of every tribunal of exclusive jurisdiction where no appeal lies, is, of necessity, conclusive upon every other tribunal; and therefore the judgment of the tribunal created by this act is conclusive upon all tribunals. Wherever this judgment is made to appear, it is conclusive of the right of the owner to retain in his custody the fugitive from his service, and

to remove him back to the place or State from which he escaped. If it is shown upon the application of the fugitive for a writ of *habeas corpus*, it prevents the issuing of the writ; if upon the return, it discharges the writ and restores or maintains the custody.

This view of the law of this case is fully sustained by the decision of the Supreme Court of the United States in the case of Tobias Watkins, where the court refused to discharge upon the ground that he was in custody under the sentence of a court of competent jurisdiction, and that that judgment was conclusive upon them. (3 *Peters*.)

The expressions used in the last clause of the sixth section, that the certificate therein alluded to "shall prevent all molestation" of the persons to whom granted "by any process issued," etc., probably mean only what the act of 1793 meant by declaring a certificate under that act a sufficient warrant for the removal of a fugitive, and certainly do not mean a suspension of the *habeas corpus*. I conclude by repeating my conviction that there is nothing in the bill in question which conflicts with the Constitution or suspends, or was intended to suspend, the privilege of the writ of *habeas corpus*.

I have the honor to be, very respectfully, sir,  
Your obedient servant,  
J. J. CRITTENDEN.

To the PRESIDENT.

This eulogy, pronounced by Mr. Crittenden while filling the office of Attorney-General of the United States, upon Judge McKinley of the Supreme Court, the day after his death, is eminently worthy of a record in his life. Mr. Crittenden's generous appreciation of the virtues and talents of his friends is well known. Certainly no loftier encomium was ever pronounced upon a wise and righteous judge than this. Nothing could be added and nothing taken from it without marring its classic beauty.

PROCEEDINGS IN RELATION TO THE DEATH OF THE LATE JUSTICE MCKINLEY OF THE SUPREME COURT OF THE UNITED STATES.

At the opening of the court this morning, Mr. Crittenden, the Attorney-General of the United States, addressed the court as follows:

Since its adjournment yesterday, the members of the bar and officers of the court held a meeting and adopted resolutions expressive of their high sense of the public and private worth

of the Hon. John McKinley, one of the justices of this court, and their deep regret at his death. By the same meeting I was requested to present those resolutions to the court, and to ask that they might be entered on its records, and I now rise to perform that honored task.

Besides the private grief which naturally attends it, the death of a member of this court, which is the head of a great, essential, and vital department of the government, must always be an event of public interest and importance.

I had the good fortune to be acquainted with Judge McKinley from my earliest manhood. In the relations of private life he was frank, hospitable, affectionate. In his manners he was simple and unaffected, and his character was uniformly marked with manliness, integrity, and honor. Elevation to the bench of the Supreme Court made no change in him. His honors were borne meekly, without ostentation or presumption.

He was a candid, impartial, and righteous judge. Shrinking from no responsibility, he was fearless in the performance of his duty, seeking only to do right, and fearing nothing but to do wrong. Death has now set her seal to his character, making it unchangeable forever; and I think it may be truly inscribed on his monument that as a private gentleman and as a public magistrate he was without fear and without reproach.

This occasion cannot but remind us of other afflicting losses which have recently befallen us. The present, indeed, has been a sad year for the profession of the law. In a few short months it has been bereaved of its brightest and greatest ornaments. Clay, Webster, and Sergeant have gone to their immortal rest in quick succession. We had scarcely returned from the grave of one of them till we were summoned to the funeral of another. Like bright stars they have sunk below the horizon, and have left the land in widespread gloom. This hall that knew them so well shall know them no more. Their wisdom has no utterance now, and the voice of their eloquence shall be heard here no more forever.

This hall itself seems as though it was sensible of its loss, and even these marble pillars seem to sympathize as they stand around us like so many majestic mourners.

But we will have consolation in the remembrance of these illustrious men. Their *names* will remain to us and be like a light kindled in the sky to shine upon us and to guide our course. We may hope, too, that the memory of them and their great examples will create a virtuous emulation which may raise up men worthy to be their successors in the service of their country, its constitution, and its laws.

For this digression, and these allusions to Clay, Webster, and



Sergeant, I hope the occasion may be considered as a sufficient excuse, and I will not trespass by another word, except only to move that these resolutions in relation to Judge McKinley, when they shall have been read by the clerk, may be entered on the records of this court.

(R. P. Letcher to J. J. Crittenden.)

MEXICO, October 20, 1850.

DEAR CRITTENDEN,—Mr. Marks, a gentleman of respectability and intelligence, has just signified to me that he *sets out* for Washington City in a few hours. I give you a brief letter. Attend to him and introduce him to Mr. Webster. He is quite intimate with the government, and has been for many years the confidential friend of some of the leading members of the cabinet. Mr. Webster's amendments to the treaty were received about ten days ago. I have succeeded in getting the whole of them adopted, with the exception of two. Marks can tell you all about it. *They* never can be carried, if tried, to the day the great *judgment-gun* shall be *fired*. I have tried every argument, every persuasion, every threat, to prevail upon the cabinet to accept these two amendments *in vain*. In fact, I tried very hard to have these amendments inserted in the original treaty for three months. I believe I could prevail upon these folks to cede the whole country to the United States sooner than agree to these modifications. I won't trouble you with these matters. *Unhappy* as I am here, anxious as I am to return home, I will not quit my post till the end of this treaty is seen. I have some reason to believe Mr. Webster is not satisfied with my negotiations in regard to this treaty. This fills me with the deepest concern. It is utterly impossible for Mr. Webster to know and see things in this country as they really exist. Under all the circumstances, I know it was right to sign that treaty; I care not *who* may think to the contrary. Mr. Webster shall have a chance of appointing some one in my place who suits him better. I have worked hard since I have been in this country, and expect but little thanks; but I don't deserve censure or reproach. I don't mean to utter a word of complaint against Mr. Webster, or to say to any one else what I have said to you, unless it becomes necessary in my own defense, and then I'll say a *damned deal*. The truth is I feel a little desperate, and as cross as — at the idea of being *reproached*. Damn the treaty; it's opposed by all the foreign influence, by the opposition party, and by all the moneyed and commercial men of this country in solid column. The newspapers have openly charged me with forcing the government to make it. They have charged me with the *crime* of controlling

this government as I please. The foreign ministers talk in the same way. So I am, you may well imagine, worried to death, and get no thanks for it. If anything whatever occurs, which in your judgment should render it proper for me to resign, *you* are fully authorized to file my resignation at any moment. All I care about is to see the end of this treaty, and then my mission shall be at an end through *the grace of God*.

Good-by to you.

R. P. LETCHER.

Hon. J. J. CRITTENDEN.

(R. J. B. to J. J. Crittenden.)

LEXINGTON, Nov. 23, 1850.

MY DEAR SIR,—More than a year ago our friend Garnett Duncan made application to the President and to the Secretary at War for a cadet's warrant at West Point for my oldest son. He did this spontaneously as an act of personal regard, and perhaps as some expression of his sense of things of other days. I had other friends whose influence might have aided him; but in the same spirit that actuated him, I told him I would do nothing; so that if he succeeded, he should have all the gratitude of the lad and all the pleasure of the good deed. He failed. But the President and the Secretary both promised to put the lad's name on the list, and held out strong hopes, if not a certain assurance, of his appointment a year from that time,—to wit, *now*.

Now, my dear sir, if this appointment can be had, I shall be very glad; my boy will be gratified in the strongest and almost the earliest wish of his heart, and I trust the country may be gainer thereby in the end. The lad is now a little past sixteen years of age; he is a member of the Sophomore class at Danville, and is of robust constitution, fine talents, and earnest, firm, and elevated nature. It is to gratify *him* in a strong, nay, a vehement, passion that I desire this thing. For myself I never did, never will, solicit anything from any government. The ancestors of this lad, paternal and maternal, have done the State some service. You know all about all I could with propriety say.

If there is any impropriety in my thus addressing you, I pray you to excuse it; if there is none, and this thing can be accomplished, it will be only another proof of your goodness and another ground of the grateful and affectionate friendship of

Yours ever,

R. J. B.

Hon. J. J. CRITTENDEN.

(R. J. B. to J. J. Crittenden.)

LEXINGTON, KY., April 12, 1851.

DEAR SIR,—You may, perhaps, recollect that I was inconsiderate enough to address a letter to you during the last winter on the subject of a warrant to West Point for one of a numerous family of sons, under circumstances which I erred, perhaps, in supposing were somewhat peculiar, and with claims upon the country, personal and hereditary, which I no doubt greatly overrated in my desire to gratify the ardent wishes of a beloved child.

I was not fortunate enough to receive any answer to that letter; and although the application was warmly supported by both the senators from this State and several members of Congress from this and other States, being myself without political influence, it failed, as I ought to have foreseen it must. I feel it to be due to you and to myself to say that I regret very much having, in a moment of parental weakness, committed so great an error, and by this declaration atone, at least to my own feelings, for the only instance, through a life now not very short, in which I have asked from any one anything for myself or any member of my family. Praying you to excuse what I so much regret, I am, very respectfully,

Your friend and servant,

Hon. J. J. CRITTENDEN.

R. J. B.

(J. J. Crittenden to R. J. B.)

WASHINGTON, April 21, 1851.

SIR,—Your letter of the 12th inst. was received yesterday, and read with painful surprise. It is marked with such a spirit of rebuke and irritation that I hardly know how I ought to understand or reply to it. You have almost made me feel that any explanation under such circumstances would be derogatory. But, sir, suppressing all these feelings, and preferring in *this instance* to err, if at all, on the side of forbearance, I have concluded to address you a calm reply and explanation of the subject that has so much irritated and excited you.

Know, then, that I did receive the letter you addressed to me last winter requesting my assistance in procuring for your son the appointment of cadet in the Military Academy at West Point.

All such appointments, except ten, are so regulated by law that they must be made, one from each congressional district, on the nomination and recommendation of the representative of that district.

There was no vacancy in your district, and, of course, the

only hope for your son was to obtain for him one of the ten extraordinary appointments at the disposal of the President. The power of conferring these is understood to have been given to the President for the benefit of the sons of officers of the army and navy, and especially of those whose fathers had perished in the service of their country; and although these appointments have not, in practice, been always confined to this description of persons, their claims have been generally favored and preferred. The number of such applicants has been greatly increased by the Mexican war, and their competitors from civil life are still more numerous.

From this general statement may be inferred the uncertainty and difficulty of procuring one of these appointments.

In the winter of 1849 and '50 I had, at the instance of my old friend, Gabriel Lewis, of Kentucky, very earnestly recommended a grandson of his to General Taylor for one of these appointments. He did not get it, and it was then determined by his family, with my advice and my promise to give what assistance I could, to renew or continue his application for another year, and I had, accordingly, again recommended him for one of the appointments that were to be made this spring.

Such was the condition of things and such my situation and engagement when your first letter was received. Notwithstanding all the difficulties in the way, I was not without the hope of serving you, for the sole reason, perhaps, that I wished to do so, and wished to obtain the appointment for your son. To learn something of the prospect of success, I conversed several times with the Secretary of War on the subject. He could only tell me that no selections would be made, that the subject would not be considered till the time had arrived for making the appointments, and that the number of applicants was very great, amounting to hundreds,—I think he said fifteen hundred.

I ought, perhaps, to have acknowledged the receipt of your letter and have given you all this information; and most certainly I would have done it if I had had the least apprehension of the grave consequences that have followed the omission. It did not occur to me that any punctiliousness would be exacted in our correspondence.

But, besides all this, and to say nothing of the daily duties of my office, and my almost constant attendance upon the Supreme Court, then in session, I had nothing satisfactory or definite to write. I waited, therefore, willing to avail myself of any circumstance or opportunity that time or chance might bring forth to serve you and to procure an appointment for your son as well as for the grandson of Mr. Lewis. I could

find no such opportunity—no opportunity even for urging it with the least hope of success.

The appointments have all been recently made, and, with few exceptions, confined to the sons, I believe, of deceased officers, to the exclusion, for the second time, of the grandson of my friend Lewis, who has been on the list of applicants for two years, with all the recommendation I could give him.

I should have taken some opportunity of writing to you on this subject, even if your late letter had not so unpleasantly anticipated that purpose.

This, sir, is the whole tale. It must speak for itself. I have no other propitiation to offer. I am the injured party. When you become conscious of that, you will know well what atonement ought to be made and how it ought to be made. Till then, sir, self-respect compels me to say that I will be content to abide those unfriendly relations which I understand your letter to imply, if not proclaim.

I can truly say that I have written this "more in sorrow than in anger." I have intended nothing beyond my own defense and vindication, and if I have been betrayed into a word that goes beyond those just limits and implies anything like aggression, let it be stricken out.

J. J. CRITTENDEN.

LEXINGTON, KENTUCKY, May 3, 1851.

Hon. J. J. CRITTENDEN.

DEAR SIR,—I regret very much to perceive by your letter of the 21st ultimo that you considered my letter to you of the 12th April wanting in proper respect to you, and prompted by irritation on my part. I retained no copy of that letter; but, assuredly, I know very little of myself if it contained the evidences of either of those states of mind.

For the first time in my life I had condescended to solicit, from any human authority, anything, either for myself or any member of my immediate family, though many hundreds of times I have done what I could for others. It was particularly distressing to me that I had been seduced into such a position by the extreme kindness of an old personal friend (Mr. Duncan), as I explained in my first letter to you, and, by some ridiculous notion, that the present administration might consider itself any ways connected with that of General Taylor, so as to feel disposed to fulfill any expectations it may have raised.

Unless my memory deceives me, my first letter, making the application, intimated to you that I was not sure it was proper in me to write you such a letter, and asked you to excuse the impropriety, if indeed one existed. Such, I remember well, was the state of my mind, and I think I expressed it. The only

notice ever taken of that letter, by you, is the allusion to it in your letter before me. What took place in the mean time may be uttered in a sentence, and need not be repeated here.

Under all the painful, and to me altogether unprecedented, circumstances of a very humiliating position, I thought it due to you to express my regret at having implicated you, in any degree, in such an affair by my letter of application to you; and I thought it due to myself to express to you, under such circumstances, my regret at allowing myself, in a moment of parental weakness, to embark in a matter which, in all its progress and its termination, was especially out of keeping with the whole tenor of my life and feelings. If my letter, to which yours of the 21st April is an answer, expresses more or less than these things, it is expressed unhappily and improperly. If, during the progress of the affair, you had judged it necessary or proper to have treated it differently, or had had it in your power to do so, I should not have been more bound to feel obliged by any other or further service than I am now bound to feel obliged, by such as your letter informs me you were good enough to render me, under circumstances which, it is now obvious, must have been embarrassing to you, and which, if I had known, I would have instantly released you from. But all this, as it appears to me, only the more painfully shows how inconsiderate my first application to you was, and how needless it was for my subsequent expression of regret for having made it to be taken in an offensive sense.

The sole object of this letter is to place the whole affair on the footing which, in my opinion, it really occupies.

Certainly I had no right to ask anything of the sort I did ask at your hands. But assuredly having been weak enough to ask it, and having, in the course of events, had full occasion to perceive that weakness, I had the right without offense to express sincere regret for what I had inconsiderately done,—to the needless annoyance of yourself and others,—and to the wounding of my own self-esteem.

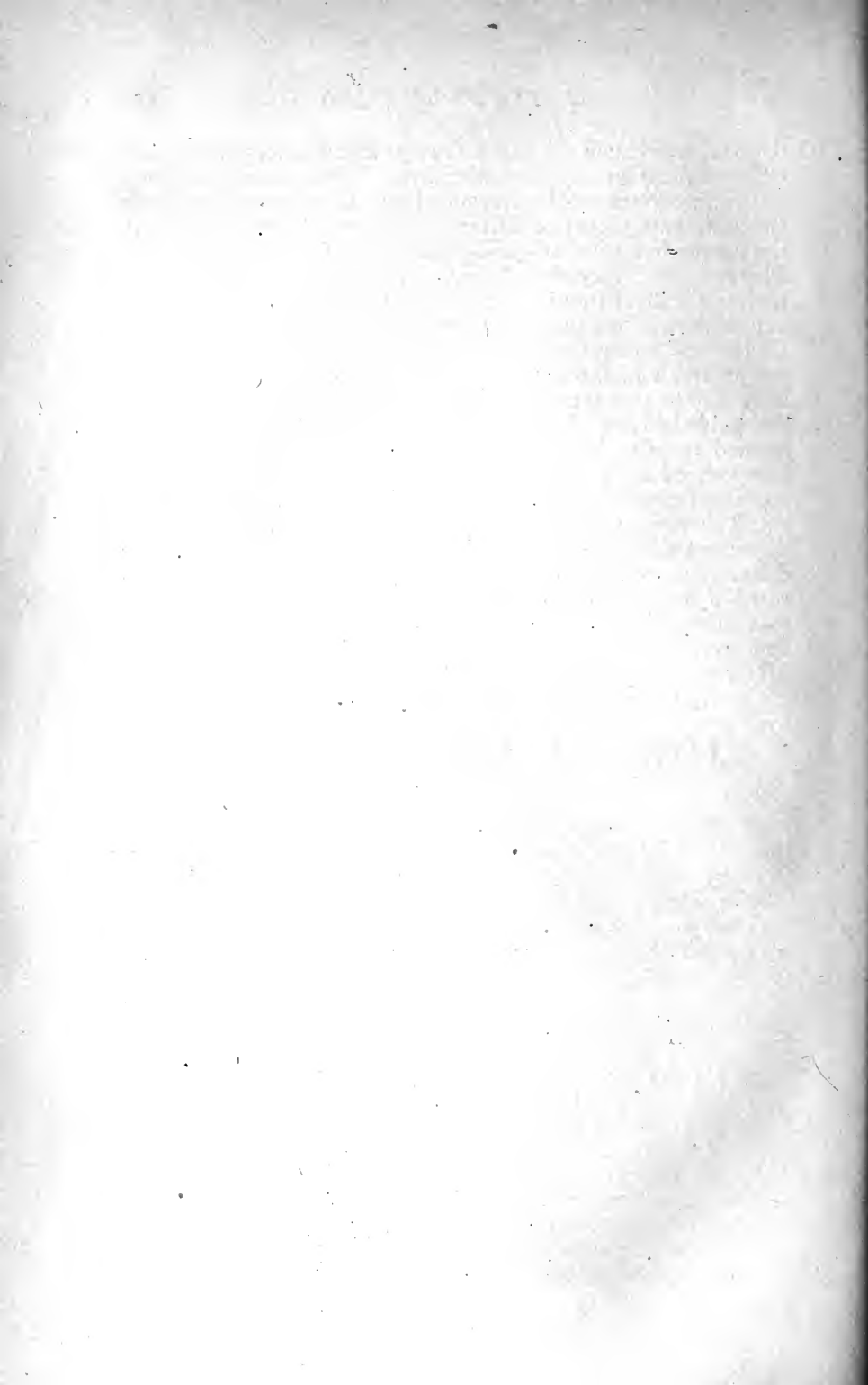
Permit me, in conclusion, to say that altogether the most painful part of this affair, to me, is that I should have given offense to a man who, for nearly if not quite thirty years, I have been accustomed to regard with feelings of the greatest esteem, admiration, and confidence, and for whom, at any moment during those thirty years, I would have periled everything but my honor to have served him; such a man will know how to appreciate the workings of a nature perhaps oversensitive and overproud, in the midst of unusual and oppressive circumstances. If not, it is better to forget all than lose our own self-respect.

As to Mr. Fillmore and Mr. Conrad, strange as it may seem

to you, I would never, under ordinary circumstances, have asked either of them for any favor whatever. I rather considered myself asking you and Mr. Clay and Judge Underwood and Judge Breck and a few other old friends to whom I brought myself to the point—not without great difficulty—of saying what I did. This may seem very absurd to you; perhaps it is so; it is nevertheless the truth; and most certainly I did not suppose that any administration of which yourself and Mr. Clay and Judge Underwood and Judge Breck were avowed, if not confidential, supporters, would, under the entire circumstances of this case, have it in its power to refuse so paltry a boon; and after seeing the published list of successful applicants, from which alone I learned the fate of my application, I saw still less reason to comprehend such a result. As to yourself, three particulars separated your case from that of the other friends I have named: 1st. I loved you most, and relied most on you. 2d. I the most distrusted the propriety of writing to you, on account of your connection with the cabinet. 3d. From you alone I had no word of notice; and for these two last reasons, the more felt that an explanation was demanded of me as due both to you and myself.

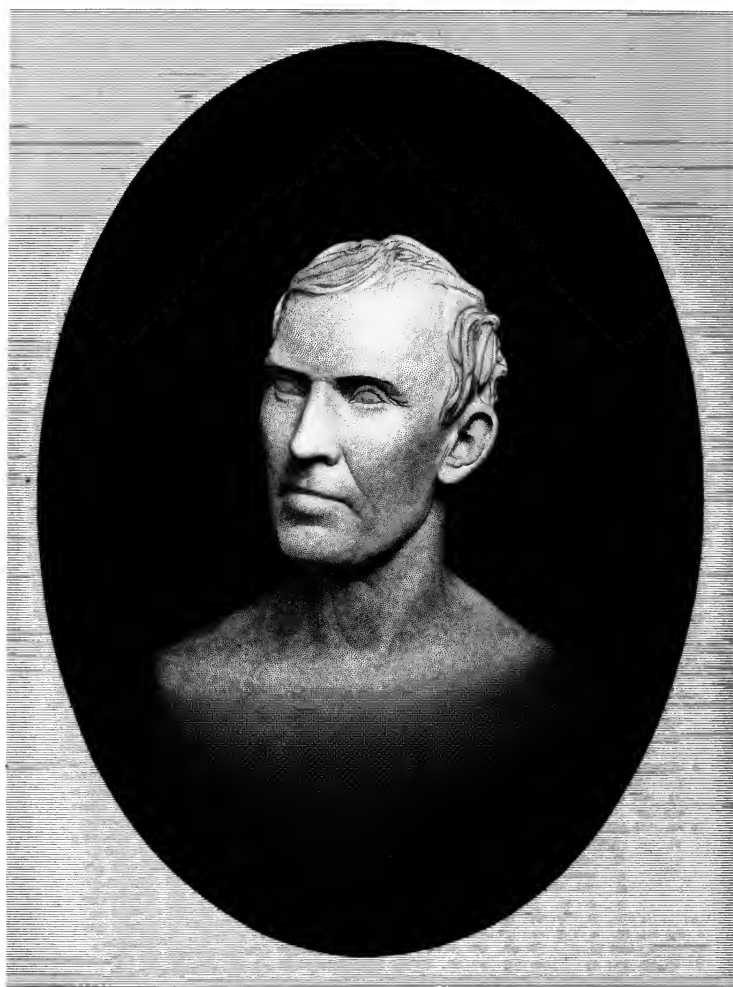
If you have had patience to read this letter, it is needless for me to say more than that I still desire to be considered your friend.

R. J. B.





THE LIFE  
OF  
JOHN J. CRITTENDEN.



Engraved by H. M. B. B. B.

HON. JOHN J. CRITTENDEN.

THE LIFE

JOHN J. CRITTENDEN,

WITH AN INTRODUCTION BY

HIS CORRESPONDENCE AND SPEECHES

EDITED BY HIS SON-IN-LAW,

MR. CHAPMAN COOPER, JR.

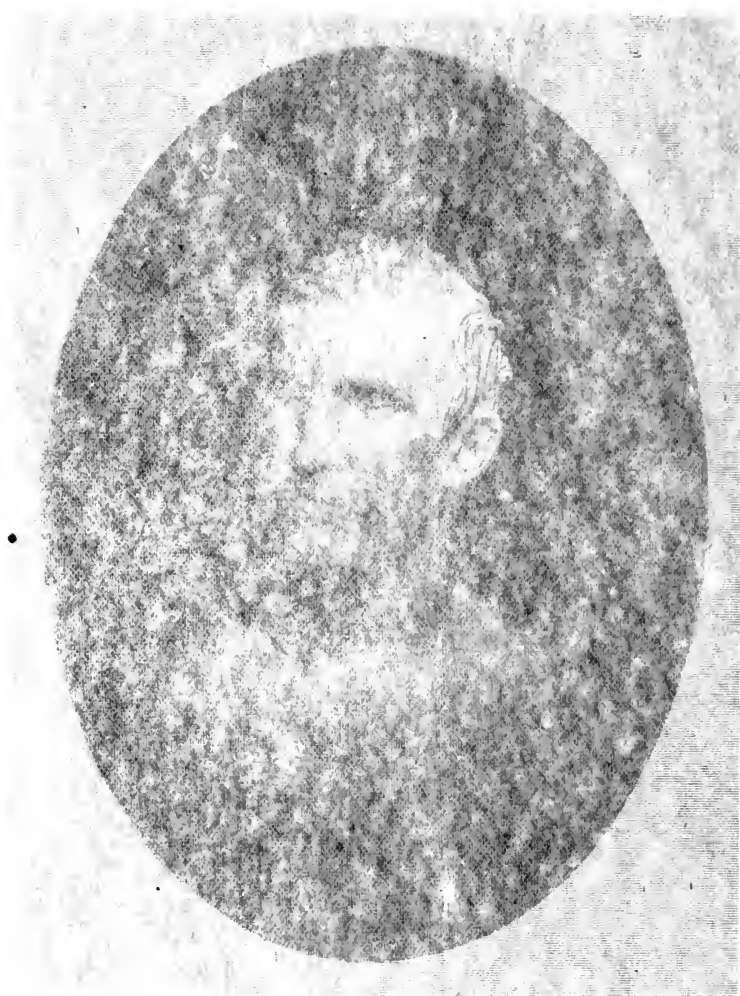
IN TWO VOLUMES.

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VOL. II.

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PHILADELPHIA:  
J. B. LIPPINCOTT & CO.  
1872.



THE LIFE

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LIFE  
OF  
JOHN J. CRITTENDEN.

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CHAPTER I.

1851.

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(General Persifer Smith to J. J. Crittenden.)

PHILADELPHIA, July 13, 1851.

DEAR SIR,—I have just come on from Washington, and am waiting here to "*get a feather in my cap.*" I will leave here for New York on Wednesday, the 16th, and be in New York on the 18th or the 19th, according to the will of the steam-boat. I prefer going to Boston on the 20th to see my sister, and to go from there to Troy on the 22d, in conformity with our engagement with Hector, "*Troy's great chief.*" All this is subject to your approval, for, until I get you the other side of the *Tems*, I shall assume no authority. Indeed, it would be prudent for me to find out whether you are not stronger on the water than on land. But, if I remember anything about a blue bottle,—

The water's not the field you'll  
Beat Scott, Wool, and Cass on,  
Though a river is the bridge  
That you expect to pass on.

I will go to the Atlantic Hotel, in Frankfort, where I hope to find your address, that I may pay my respects to you and learn your prospects.

The Rifle Regiment arrived at New Orleans on the 8th, though I have no letters, as I am expected there now.

Yours very sincerely,

Hon. J. J. CRITTENDEN.

PERSIFER SMITH.

(Jared Sparks to J. J. Crittenden.)

HARVARD UNIVERSITY, CAMBRIDGE, September 11, 1851.

DEAR SIR,—I shall forward to you by express to-morrow a diploma of the honorary degree of Doctor of Laws, conferred on you by the government of this University at the last Commencement.

Will you have the goodness to inform me whether it reaches you safely?

I am, sir, very respectfully yours,

Hon. J. J. CRITTENDEN.

JARED SPARKS.

(John M. Clayton to J. J. Crittenden.)

BUENA VISTA, DELAWARE, October 8, 1851.

MY DEAR CRITTENDEN,—Square yourself, for I have a favor to ask of you for one of my friends. Don't knit your brows, nor utter one of those significant snorts which you are accustomed to give when reading anything unpleasant, especially an application for an office. I must have what I am about to ask for, and if you grant it I will give you a receipt in full, and do you be thankful that I let you off so easily; for the appointment I want is no great affair, and it will do more to make the administration popular in this section of the country than any other appointment they could make.

I want you to obtain a promise from President Fillmore to appoint Charles I. Dupont, Jr., a purser in the navy of the United States, on the happening of the first vacancy.

Now, if I had you with me, just seated in the arm-chair opposite my table, I would talk to you in my own peculiar and *sensible way*; and I would give you such reasons as would start you right off to obtain the promise of this appointment. Deprived, as I am, of the influence of my colloquial eloquence, which was always deservedly great upon you, I shall present my wishes in less vivid colors and with much more feeble power by the aid of my pen.

I have often boasted to you of the Dupont family of Delaware; I have told you how proud I was of their friendship, and therefore I need not repeat to you the story of their merits. Eleuthere Irene Dupont and Victor Dupont, sons of one of the most virtuous and distinguished noblemen of France, both narrowly escaped the malice of Robespierre and the deadly hostility

of the Jacobins during the French Revolution, and emigrated to this country and settled on the banks of the Brandywine, where, by their industry and talents, they converted what was but a rocky desert into one of the most beautiful and enchanting portions of our country. No men were more beloved and honored in their day, and it has always been with me a source of high gratification, amidst the struggles of this life, to reflect that I enjoyed their friendship and kind regard. Each of these left a family, whose sons are all highly esteemed and beloved in Delaware for their own virtues. Victor left two sons,—Charles I. Dupont, the celebrated manufacturer of the Brandywine, known to you as *your* friend, and Captain S. F. Dupont, one of the most distinguished officers of our navy. Young Dupont, the applicant, is the son of Charles. He is a young man of the finest qualities of heart and head, well educated, moral, temperate, and industrious, of business habits, and possessing the same character, integrity, and honor which mark every member of the family, without an exception.

Now, my dear Crittenden, these Duponts have spent a fortune for the Whig party, and have never received a favor from it, for they never desired any,—they have been the chief prop and support of our party ever since its origin; they did more to build it up, originally, than any other family in the State, and but for their powerful influence we should have sent two Locofoco senators to Congress for the last twenty years.

Charles has now set his heart upon the appointment of his son as a purser, and he is sustained in this application not only by the just influence of his relatives and personal friends, but by all the Whigs of the State and the friends of the administration, who feel that they owe more and have paid less to these Duponts than to any other family.

I think I am boring you with some things as well known to you as to me; let me, therefore, cut my letter short by begging you, as soon as you have read this letter, to go down and see the President, and tell him he would do more to gratify his friends by this little appointment than he could by a full mission abroad. Take a glass of Bourbon whisky before you start; call on Graham, and get him to go along with you, and do not leave the President until you get a promise that young Dupont shall have the first vacancy. This little appointment will do more to enable us to redeem the State at the next election than anything else the President could do for us.

I am, dear Crittenden, faithfully yours,  
JOHN M. CLAYTON.

(John M. Clayton to J. J. Crittenden.)

BUENA VISTA, DELAWARE, October 27, 1851.

MY DEAR CRITTENDEN,—I see our friend Conrad has ordered my nephew, James C. Douglass, to the Portsmouth sloop of war, about to go to the Pacific. I am convinced that a voyage round the Horn would finish him now. Any ship going to a mild climate would save his life. I have lost all my children, and this nephew is nearly the only relation I have in the world. Do ask Conrad to order him to another ship. I believe if he goes to the Pacific I shall never see him again. Hurrah for the new Secretary of State! You have done nobly. If Mr. Webster shall resign I will lend you my countenance now to be his *permanent* successor. I pray that if the office shall become vacant you may take it. If you do accept it, the Whigs will rally on Mr. Fillmore. As soon as I hear of your appointment I shall go to Washington to apprise you of some things. Do not refuse if you have any regard for the Whig party. If you reject it, the party will not rally. Mr. Webster is going to Washington *avowedly* to resign before the session of Congress. Do not reject the permanent appointment of Secretary of State, unless you have resolved to see your friends in the dust, your party in ashes.

I tell you that you are the *connecting link* between the Whigs of Pennsylvania and Mr. Fillmore. I would be *your man of work*, without pay or clerk hire. The department would be right side up in three months. Now recollect that you were the man who induced me to accept this office. I have a right, therefore, to ask you to accept it.

Hon. J. J. CRITTENDEN.

Ever yours,  
J. M. CLAYTON.

In 1851 Mr. Webster was Secretary of State and Mr. Crittenden Attorney-General in Mr. Fillmore's cabinet. Mr. Webster's health failed, and he was compelled for awhile to withdraw from Washington, and during this time Mr. Crittenden was acting Secretary of State. At that time an expedition of about five hundred men escaped from New Orleans, and landed upon the island of Cuba. They were soon captured, and many of them executed, and M. Sartiges, minister of France, communicated to the United States government that the French government had issued orders to its ships of war to *prevent by force* any adventurers of any nation from landing with hostile intent on the island of Cuba. The British government gave notice also to the State Department that it had issued similar

orders to its naval force. The following is the letter addressed by Mr. Crittenden (then acting Secretary of State) to M. Sartiges. A distinguished gentleman who has occupied a high position in this government has written to me that this diplomatic letter was pronounced perfect in tone and style, and would compare favorably with any paper which had ever emanated from the State Department:

DEPARTMENT OF STATE, WASHINGTON, October 22, 1851.

The undersigned, acting Secretary of State of the United States, has the honor to remind M. de Sartiges, envoy extraordinary and minister plenipotentiary of the French republic, that in the interview which he had with him on the 8th instant, he stated that he might have occasion to address him in writing on the subject of the information which M. de Sartiges then communicated, that the French government had issued orders to its ships of war, then in the West Indies, to give assistance to Spain, and to prevent by force any adventurers of any nation from landing with hostile intent on the island of Cuba. Having imparted that information to the President, the undersigned has now the honor, by his direction, to address M. de Sartiges in regard to it.

M. de Sartiges is apprised that a few days prior to the interview adverted to the chargé d'affaires of her Britannic Majesty had given to this department official notice that his government had issued similar orders to its naval forces. The President had regarded this as a matter of grave importance, but its gravity is greatly increased by the concurrence and co-operation of France in the same measure. It cannot be doubted that those orders have been occasioned by the recent unlawful expedition of less than five hundred men, which, having evaded the vigilance of this government, and escaped from New Orleans, were landed by the steamer Pampero upon the island of Cuba, and were soon captured, and many of them executed. That such an incident should have incited the combined action of two great European powers, for an object to which neither of them is a *direct* party, and in a manner that may seriously affect the people of the United States, cannot fail to awaken the earnest consideration of the President.

He cannot perceive the necessity or propriety of such orders, while he entertains the strongest apprehensions that their execution by French and British cruisers will be attended with injurious and dangerous consequences to the commerce and peace of the United States. They cannot be carried into effect

without a visitation, examination, and consequent detention of our vessels on our shores, and in the great channels of our coasting trade, and this must invest British and French cruisers with the jurisdiction of determining, in the first instance at least, what are the expeditions denounced in their orders, and who are the guilty persons engaged in them. It is plain, however different may have been the intentions of the respective governments, that the exercise of such a power and jurisdiction could hardly fail to lead to abuses and collisions perilous to the peace that now so happily prevails. By such an interference those governments seem to assume an attitude unfriendly to the United States. The President will not, however, allow himself to believe that this intervention has been intended as an admonition or reproach to his government. He has signally manifested his condemnation of all such lawless enterprises, and has adopted active measures for their prevention and suppression. It must also be known to the governments of France and England, in common with all the world, that this government, since it took its place among nations, has carefully preserved its good faith, and anxiously *endeavored* to fulfill all its obligations, conventional and national. And *this* it has done from motives far above any apprehensions of danger to itself. From its beginning, under the present Constitution, it has sedulously cultivated the policy of peace, of not intermeddling in the affairs of others, and of preventing by highly penal enactments any unlawful interference by its citizens to disturb the tranquillity of countries with which the United States were in amity. To this end many such enactments have been made, the first as early as the year 1794, and the last as late as 1838. The last having expired by its own limitation, and all the preceding legislation on the subject having been comprehended in the act of Congress of the 20th of April, 1818, it is unnecessary to do more than to refer M. de Sartiges to its provisions as marking the signal anxiety and good faith of this government to restrain persons within its jurisdiction from committing any acts inconsistent with the rights of others, or its own obligations. These laws were intended to comprehend, and to protect from violation, all our relations with and duties to countries at peace with us, and to punish any violations of them by our citizens as *crimes* against the *United States*. In this manifestation of its desire to preserve just and peaceful relations with all nations, it is believed that the United States have gone before and *further* than any of the older governments of Europe. Without recapitulating all the provisions of those laws by which the United States have so carefully endeavored to prohibit every act that could be justly offensive to their neighbors, it is deemed enough for this occa-



sion to say that they *denounce* all such enterprises or expeditions as those against which the orders in question are directed.

The undersigned thinks it is of importance enough to call the attention of M. de Sartiges more directly to this law. A literal copy of it is accordingly herewith communicated. Besides the ordinary legal process, it authorizes the President to employ the military and naval forces of the country for the purpose of preventing such expeditions and arresting for punishment those concerned in them. In the spirit of this law, the President condemns such expeditions against the island of Cuba as are denounced by the orders in question, and has omitted nothing for their detection and prevention. To that end he has given orders to civil, naval, and military officers from New York to New Orleans, and has enjoined upon them the greatest vigilance and energy. This course on the subject has been in all things *clear* and *direct*. It has been no secret, and the undersigned must presume that it has been fully understood and known by M. de Sartiges. An appeal might confidently be made to the vigilant and enlightened minister of Spain that his suggestions for the prevention of such aggressions, or the prosecution of offenders engaged in them, have been promptly considered, and, *if found* reasonable, adopted by the President; his course, it is believed, has been above all question of just cause of complaint. This government is determined to execute its laws, and in the performance of this duty can neither ask nor receive foreign aid. If, notwithstanding all its efforts, expeditions of small force hostile to Cuba have, in a single vessel or steamer, excited by Cubans themselves, escaped from our extensive shores, such an accident can furnish no ground of imputation either upon the law or its administration. Every country furnishes instances enough of infractions and evasions of its laws, which no power or vigilance can effectually guard against. It need not be feared that any expeditions of a lawless and hostile character can escape from the United States of sufficient force to create any alarm for the safety of Cuba, or against which Spain might not defend it with the slightest exertion of her power. The President is persuaded that none such can escape detection and prevention, except by their insignificance. None certainly can escape which could *require* the combined aid of France and England to resist or suppress. Cuba will find a sure, if not its *surest*, protection and defense in the justice and good faith of the United States.

There is another point of view in which this intervention on the part of France and England cannot be viewed with indifference by the President. The geographical position of the island of Cuba in the Gulf of Mexico, lying at no great distance

from the mouth of the river Mississippi and in the line of the greatest current of the commerce of the United States, would become, in the hands of any powerful European nation, an object of just jealousy and apprehension to the people of this country. A due regard to their own safety and interest must, therefore, make it a matter of importance to them *who* shall possess and hold dominion over that island. The government of France and those of other European nations were long since officially apprised by this government that the United States could not see, without concern, that island transferred by Spain to any other European state; President Fillmore fully *concurs* in that sentiment, and is apprehensive that the sort of *protectorate* introduced by the orders in question might, in contingencies not difficult to be imagined, lead to results equally objectionable. If it should appear to M. de Sartiges that the President is too apprehensive on this subject, this must be attributed to his great solicitude to guard friendly relations between the two countries against all contingencies and causes of disturbance. The people of the United States have long cherished towards France the most amicable sentiments, and recent events which made her a republic have opened new sources of fraternal sympathy. Harmony and confidence would seem to be the natural relations of the two great republics of the world, relations demanded no less by their permanent interests than by circumstances and combinations in *continental* Europe, which now seem to threaten so imminently the cause of free institutions. The United States have nothing to fear from those convulsions, nor are they *propagandists*, but they have at heart the cause of freedom in all countries, and believe that the example of the two great republics of France and America, with their moral and social influences, co-operating harmoniously, would go far to promote and to strengthen that cause. It is with these views that the President so much desires the cultivation of friendly feelings between the two countries, and regards with so much concern any cause that may tend to produce collision or alienation. He believes that this Cuban intervention is such a cause. The system of government which prevails most generally in Europe is adverse to the principles upon which this government is founded, and the undersigned is well aware that the difference between them is calculated to produce distrust of, if not *aversion* to, the government of the United States. Sensible of this, the people of this country are naturally jealous of European interference in American affairs. And although they would not impute to France, now herself a republic, any participation in this distrustful and unfriendly feeling towards their government, yet the undersigned must repeat, that her intervention in this instance,

if attempted to be executed, in the only practicable mode for its effectual execution, could not fail to produce some irritation, if not *worse* consequences. The French cruisers sailing up and down the shores of the United States to perform their needless task of protecting Cuba, and their ungracious office of *watching* the people of this country as if they were fruitful of *piracies*, would be regarded with some feelings of resentment, and the *flag* they bore—a flag which should always be welcome to the sight of Americans—would be looked at as casting a shadow of unmerited and dishonoring suspicion upon them and their government. The undersigned will add that all experience seems to prove that the rights, interests, and peace of the continents of Europe and America will be best preserved by the forbearance of each to interfere in the affairs of the other. The government of the United States has constantly acted on that principle, and has never intermeddled in European questions. The President has deemed it proper to the occasion that his views should be thus fully and frankly presented for the friendly *consideration* of M. de Sartiges and his government, in order that all possible precautions may be used to avert any *misunderstanding*, and every cause or consequence that might disturb the peace or alienate, in the least, the sentiments of confidence and friendship which now bind together the republics of the United States and France. The undersigned avails himself of this occasion to offer to M. de Sartiges the assurance of his very distinguished consideration.

JOHN J. CRITTENDEN.

M. DE SARTIGES.

(J. E. Harvey to J. J. Crittenden.)

NORTH AMERICAN OFFICE.  
PHILADELPHIA, November 1, 1851.

DEAR SIR,—The inclosed letter from the New York *Times*, as well as statements of a similar character made in the Washington and other papers, place me in a very false position before the public, and apparently by the sanction, if not by the instruction, of gentlemen in administration. The information in regard to your recent correspondence with the French and British governments was obtained, as I stated in a note to the *Intelligencer*, before my arrival in Washington, and was published by telegraph in the *North American* before my conversation with you on the subject. And if your recollection serves, you cannot fail to remember that, in the interview to which reference is made, I introduced the matter of the correspondence. Under such circumstances, I was greatly surprised to see the comments of the *Intelligencer* upon a state of facts which did not exist, as my dispatches show, and more so that the letter in the *Times*

should represent that my publications should have occasioned you "mortification and surprise," or been considered as containing "exaggerated views." I never said, in any shape or form, that you had either rebuffed or rebuked either of the governments in question, and the collation of my dispatches, as published in the *Union* of yesterday, exhibits this very plainly, but some strange misconception of both the spirit and the language of my dispatches exists at Washington. What I said in reference to yourself was a friendly tribute of my personal regard, and of my respect, for what I understood to be the position which you had assumed. I do not consider that I have deserved the strictures which have been made upon me, and I am greatly at loss to understand them.

In regard to the publications themselves, I hold them to be eminently proper, and for one I am wholly opposed to this system of "State secrets," now so much in vogue, when treaties are under negotiation. It is my business to obtain information, and I shall continue, as I have heretofore done, to exercise my own discretion in regard to the use of all that I may properly acquire, despite the small jealousies and petty manœuvring about Washington, in which the *Republic* has played so doubtful a part during the last and present administrations. The impression which was first made upon the public mind by the belief that the administration had acted up to the American sentiment, in the correspondence between England and France, has been much impaired by the subsequent impression, that it desired to treat those governments gingerly.

Very truly,

MR. CRITTENDEN.

JAMES E. HARVEY.

(J. J. Crittenden to James E. Harvey.)

WASHINGTON, November 3, 1851.

MY DEAR SIR,—I have received your letter of the 1st inst., and with it the slip you inclose, cut from the *New York Daily Times*, containing a letter from the Washington correspondent of that paper, in which reference is made to me, and, as I now understand, to you, also, in connection with official transactions in which I was engaged with certain foreign ministers, during the brief period in which I was the acting Secretary of State.

In affairs merely personal to myself I should not hesitate to make and to write any disclosures or explanations that the occasion might require. But I was restrained on this occasion by the circumstances of the case and by my official relations to the subject in question.

I am not responsible for the letter published in the *New*

York *Daily Times*. I am wholly ignorant who is the author of that letter, and its publication is altogether unauthorized by me.

I have said on several occasions, in private conversations, that there had occurred nothing at all of a sarcastic or discourteous character—certainly nothing so intended by me—in my intercourse or communication with either the English or French minister, and that I should be ashamed to be thought guilty of any rudeness towards either of those gentlemen in my official capacity. I said this to Mr. Seaton, with a request that he would say something to the same effect in the *Intelligencer* for the purpose of relieving the feelings of the French minister, which had been hurt, as I understood, by a previous article in that paper, which, as I conceive, represents him as having been disrespectfully or discourteously treated by me.

This, sir, is about the substance of all I have said in reference to the matter in question. I may add that it has so happened that I have not read or seen the letter published in the *North American*, which is ascribed to you.

I had no purpose or object of accusing you of any intentional injustice to me, or of any misrepresentation. I had cause to regard you as a friend, and did so regard you.

I have said more, perhaps, than I ought on such a subject. My respect for you and for your feelings, which seem to be excited more than the occasion, as it seems to me, requires, has induced me to say what I have. It must be understood, however, as having been written for your personal and private satisfaction alone. I cannot consent that any reference even should be made to it in any controversy you may have, or any publication you may make, on the subject. The reasons for this are so obvious that they need not be stated. They will readily occur to you.

I understand you to inquire if I recollect the conversation we had in my office. It is only necessary now to say that I do perfectly recollect it.

Very respectfully yours,  
J. J. CRITTENDEN.

(J. J. Crittenden to Leslie Combs.)

WASHINGTON, November 1, 1851.

DEAR COMBS,—I received your kind and friendly letter, for which I thank you. My position in respect to the senatorial election is just this, no more, no less: At the instance of some friends in Kentucky, I consented to their presenting *my* name as a candidate if they thought proper to do so upon the meeting of the legislature and upon a survey of all the circum-

stances. I thought I might go thus far without presumption or giving just cause of offense, and yet I confess that I felt some reluctance to do *even that*, because it might cross or conflict with the hopes and wishes of good friends and cause some dissatisfaction on their part. Yet, having yielded my seat in the Senate to obey the wishes of the Whigs of Kentucky in becoming, at their bidding, a candidate for the office of governor, it seemed to me that I might naturally and reasonably indulge the desire of being restored to my former position; *yet* I did not make myself a candidate,—I left that to the discretion and the will of others. From what I hear, I suppose they have presented me as a candidate. I therefore desire to be elected; it is the situation most agreeable to me, and a re-election would be felt as a great honor. Still, I want nothing that cannot be freely awarded to me; I am not to be regarded as a *disturber* of the party. *Disturbance* already existed so far as it could be produced by the conflicting pretensions or claims of many candidates, each one of whom is, to say the least, as chargeable as I am with causing any controversy. But enough of this. I desire, of course, not to be beaten, and I thankfully accept your proffered services and friendship. I hope that you will go to Frankfort and take such part in the contest as you deem proper. I never felt less like controversy. *Wounded* as I have been, I naturally turn away from the battle like a bleeding soldier. My friends must act for me.

GEN. LESLIE COMBS.

Your friend,  
J. J. CRITTENDEN.

(J. J. Crittenden to O. Brown.)

WASHINGTON, Nov. 12, 1851.

DEAR ORLANDO,—Before this can reach you, the senatorial question will have been disposed of, and, as I anticipate, by a postponement. Some few letters, and particularly two received from Morehead, lead me to that conclusion. Such a result is not the most gratifying to me, but I can bear it calmly and patiently.

I shall feel some curiosity and interest to know the course of some individuals in respect to this election, and will thank you for the information. The course of Judge Robertson and of Mr. Dixon does not much surprise me, though, as I am informed, they have displayed a sort of personally hostile opposition to me, for which I never gave either of them cause.

I understand that my old friend Ben Hardin speaks kindly of me, but opposes my election. I confess that in this I have been disappointed and mortified. He and I are cotemporaries. We have been long associated, and have stood together as

friends through many years. The path which remains for us to travel is not very long, and I regret that he has found it necessary to part from me on this occasion. I do not mean to complain of him, but only to express my regret. My feelings and my memory suggest to me much more on this subject; but I will only add that I think if Hardin had considered it in all its points of view, his judgment, as well as his friendly feelings, I doubt not, would have decided him to take sides with me rather than with my opponents. There is not the least unkindness towards him mingled with the regret I feel on this occasion, and, as the matter will all be over before this reaches you, I am willing he should know. Indeed, I wish you would inform him how I feel and what I have here written in regard to him.

What part does our Frankfort senator and representative take? Farewell.

ORLANDO BROWN, Esq.

Your friend,  
J. J. CRITTENDEN.

P.S.—To my good friends, and better never were, give a hearty shake of the hand from me.

J. J. C.

## CHAPTER II.

1851-1852.

Letters—Daniel Webster to R. P. Letcher—Washington's Birthday—R. C. Winthrop to J. J. Crittenden—Letter of Apology from Mr. Crittenden to Mr. Webster, and Webster's Reply—Hon. Thomas Corwin to Crittenden—Hon. James Buchanan to Crittenden.

(Orlando Brown to J. J. Crittenden.)

FRANKFORT, December 3, 1851.

MY DEAR SIR,—I propose to say a few words to you about the senatorial election. You and your family and friends are all greatly indebted to Mr. Thomas F. Marshall for his devotion to your interests during this crisis; he has surpassed himself as an orator in presenting your claims to the gratitude and love of the people of Kentucky. I read to Mr. B. Hardin what you said of him, and the old gentleman's eyes filled with tears; he exclaimed, with vehemence, "*My God, sir, it is all a mistake; I have been for him, am for him, mean to be for him.*" And he has been making good his words. Mr. Abraham Caldwell, of the Senate, and your old fellow-soldier, Cunningham, are the most reliable of your friends. Captain Hawes is at our head, and is as gallant a leader as we could have. Neither Bell, nor Helm, nor Breek, nor Davis have come near us. The true policy of your friends is to refer the whole subject to the people. With the people, *thank God*, you are safe. You will probably be approached by some one before long, and may be induced to say, "Rather than embarrass my friends any longer, take my name off the list." Let me beg of you to say *no such thing*. You are not here; you do not know *how things* are worked. Dixon's election will be a Democratic triumph; he and his friends are afraid to go back to the people. If the election is postponed, you will be the means of bringing the Whig party again into line, and with you as our standard-bearer we will triumph in '53.

I remain sincerely yours,

ORLANDO BROWN.

(J. J. Crittenden to A. B.)

WASHINGTON, December 5, 1851.

MY DEAR SIR,—You and other friends have been so remiss in writing to me that I have been, and am still, to a great ex-



tent, ignorant of the proceedings and incidents of the late attempts made in the Kentucky legislature to elect a senator to the Congress of the United States. This, however, I do not complain of. I am, perhaps, fortunate, in that it has saved me from some portion of those unpleasant feelings which are unavoidable in such contests. I have learned enough, however, to give me uneasiness and pain. The use which my friends have thought proper to make of my name seems to have been a cause of disturbance and controversy among the Whigs. I owe to them too many obligations for favors and honors received in times past to be willing now to be an obstacle in their way or to be a cause of dissension among them. If it will restore harmony and give them satisfaction, I hope that those of them who have desired my election will yield at once and withdraw my name from the contest. So far as I am concerned, I will be a willing sacrifice to the reunion of the Whigs. Honorable and desirable as it would be to me to be restored to a seat in the Senate, my ambition is not so selfish as to make me seek it through discord and alienation among my Whig friends. I prefer the good opinion of Kentucky to any office, and I would not excite the ill will of any considerable number of Kentuckians by any strife or contention for office with political friends. I do not see that the mere presentation of my name as a candidate ought to have produced any excitement against me, or among Whigs. I think I have not deserved this, and that there are few who will not agree with me when the passions excited by the contest are past. Still, we must look to the *fact*, and act upon it accordingly. For my part, I can say that I want no office which is not freely and willingly bestowed, and that I want no contest in which I am to conquer, or be conquered, by my friends. I would rather yield to them than fight them. By the first course, harmony might be restored among them for their own and the country's good; in the *latter*, nothing but discord and division could be the result. I am averse to be placed in any situation where I could, with any propriety, be regarded as the cause of such evils. I do not mean by this that I would feel bound or willing to yield to a competitor, however worthy, simply upon the ground that *he* preferred the place for himself, or that his friends preferred it for him. To ask such a submission would be illiberal, and to grant it would be unmanly. Such differences among friends of the same party ought to be settled in a generous and friendly spirit and leave no ill feeling behind. *In such* settlements, my aim would be not to be *outdone* in liberality and concession. I should dislike exceedingly to be engaged in any *personal* or illiberal struggle, and sooner than an election, which ought to be made, should

be postponed, I would for the public interest and for harmony prefer to retire from the contest. There might be some mortification attending such a course; but this would be relieved by considering that it was done from motives honorable, friendly, and patriotic. I have served Kentucky a long time; I have served her faithfully, and, I hope, with no discredit to her; but I have no wish to intrude myself upon her for reluctant favors. When my services cease to be acceptable to her, to hold office under her would no longer be an object of ambition for me.

Yours,

J. J. CRITTENDEN.

(J. J. Crittenden to Orlando Brown.)

WASHINGTON, December 8, 1851.

MY DEAR SIR,—I received to-day your letter of the 3d inst.

You know precisely how much and how little I have had to do in the presentation of myself as a candidate for the Senate of the United States. I think I may say that it has been the action of my friends; and since the contest began, I have looked passively upon it. I had left it to my friends,—friends deserving all my confidence,—and there I will, as you advise, leave it. It would be ungrateful as well as unjust in me now to thwart or cross them in the midway of a controversy, in which, for my sake, they have involved themselves, and about which I really know so little. I know that whatever they have done has been done in sincerity of friendship for me, and I will abide by it to the last. As they pitch the battle so let it be fought.

But in this contest it is always to be remembered that you are contending against friends, who, by accident or circumstances, have been made opponents for the present, and to whom a liberal and generous treatment is due. You, who are upon the ground, well know how to distinguish between *such opponents* and those who prove themselves to be enemies. I wish that all of you who are supporting me will remember, also, that you are not supporting an exacting friend, but one who would not be outdone in liberality, generosity, or conciliation; one who would rather suffer anything himself than see his generous friends involved in difficulties or perils on his account. I hope that they will act accordingly in this matter. But whatever they shall do or determine, that will I abide by, that will I maintain as *right*, and go to all honorable extremity with them in defending and making good.

I wrote to Mr. T. F. Marshall before the receipt of your letter, and before I read his letter in the *Louisville Journal*. I wrote upon the information of his course derived from the newspapers.

Somehow or other I cannot be a man of words on such occasions, but my whole heart is full almost to bursting at acts of free and manly friendship and devotion. I love Tom Marshall. Oh, if he will be but true to himself, how I would strive for his advancement! How I would love to strive for it!

I was touched to the heart, too, at what you tell me about my old friend (for such I may now call him) Ben Hardin. I felt like breaking at the root when I heard that he was against me, for in the days of our youth—of our growth—we were together, and have passed thus far through life in more of amity and good will than falls to the lot of most men occupying our position. Upon reading what you wrote me my eyes were not dry. Time gives a sort of sacredness to the feelings that arise from old associations and friendships. I wish I could live long enough, or had the means of repaying, Orlando, all the debts I owe my friends. But therein I am a bankrupt indeed.

Do give my grateful regards to my friends Caldwell and Cunningham, and to all the friends that in my absence have stood by me; my heart is full of thankfulness. And I really hope and believe that many of those who have taken part against me have been influenced to do so by circumstances that do not affect their good opinion and kind feelings towards me. I bear no ill will to them.

Your friend,

ORLANDO BROWN, Esq.

J. J. CRITTENDEN.

(Letter from Daniel Webster, Secretary of State, to R. P. Letcher.)

WASHINGTON, December 23, 1851.

DEAR SIR,—I have written you a dispatch principally upon the subject of the Tehuantepec Treaty. There is nothing in that letter which you may not make known to the Mexican government, but in your conversation with the Secretary of Relations you may give even stronger admonitions. You may say that if the treaty is not ratified, or some new one agreed to which shall answer the same purpose, it is certain that very serious consequences will result, and Mexico must be persuaded to act promptly. Any considerable delay will be ruinous. The temper of the people, and the disposition of Congress, are both assuming a very decided tone upon this matter, especially since the proposition in the Mexican Senate to transfer this right to England. We must rely on you, my dear sir, to exert all your influence and energy to bring this business to a favorable and an immediate termination.

Yours always truly,

Hon. R. P. LETCHER.

DANIEL WEBSTER.

(J. J. Crittenden to Orlando Brown.)

WASHINGTON, Feb. 6, 1852.

MY DEAR SIR,—I see the Whigs are to meet in Frankfort on the 24th of this month to select delegates to the national convention for the nomination of a candidate for the Presidency. I think that Mr. Fillmore has fairly earned and fully deserves the highest favor and confidence of the Whigs, and that he is in mere justice entitled to the nomination. I do not *know* that he will be a candidate; I am sure he will not *seek* such a position. But neither you nor I will think that he *therefore* deserves it the less. I am anxious that your Frankfort convention should make some strong expression of its approbation of Mr. Fillmore, and its preference for him as their candidate. When they shall have *done that*, and with it their determination to support the nominee of the national convention, they will have done *all* that they ought to do. I beg you to do all you can to procure such an expression of preference for Mr. F. You will *gratify* and *serve* me by this. I believe that Fillmore is, *as he ought to be*, the favorite candidate of Kentucky. I see that in one of your county meetings there has been an expression of a *preference for me* as the candidate for the Presidency. If any purpose of that sort should be manifested in the convention, I beg you and all my friends to suppress it. It would do me *no good* in any event; it would be a prejudice to me in any of those *contingencies* or prospects which my too-sanguine friends might anticipate. You know my sentiments on this subject. I shall always be proud of any favorable expression of the sentiments of Kentuckians to me, but at this juncture I should much regret a nomination for the Presidency. Besides its other injurious effects, it would furnish a plausible ground to doubt the sincerity of my conduct and advice to *others* who are here and expose me to suspicion of contrivance and selfish ambition, than which nothing could be more unjust. Reflect upon and attend to this. Let me hear by telegraph the first expression of preference for Fillmore.

Your friend,

J. J. CRITTENDEN.

In 1852 Kossuth was addressing public assemblies throughout the United States, and General Washington's farewell advice, to avoid entangling alliances with foreign powers, seemed likely to be forgotten. The citizens of Philadelphia sent a petition to Congress, through Mr. Crittenden, asking for a special celebration of General Washington's birthday, hoping in this way to counteract the effect of Kossuth's eloquence.

HOUSE OF REPRESENTATIVES, Feb. 10, 1852.

Mr. Crittenden.—Mr. Speaker, I ask the unanimous consent of the House to present a petition of the citizens of Philadelphia. It does not relate to politics; it proposes a mode of celebrating the birthday of General Washington. It is worthy of being heard by the House, and I hope it will be. At the head of the list are the names of the present and of two preceding mayors of the city of Philadelphia. There are a thousand names to this petition, embracing the first men in the city of Philadelphia—Ingersoll, Dallas, and others equally distinguished. They pray that in this time of trouble particular attention may be paid to the birthday of General Washington, and that it may be solemnized in this House; that both Houses shall meet on the 22d of February; that the Farewell Address of General Washington shall be read, and that such parts of the Address as may be considered appropriate shall be ordered to be read at the head of the regiments of the army of the United States. There is still one great name in our country which exercises a great influence over the hearts of all true Americans. It is needless to say that name is Washington. The name stands alone far above all others. In times of trouble and peril all our hearts naturally turn to him for lessons of patriotism and every public virtue.

The object of this signal commemoration of his birthday is to impress his name more deeply on the minds and hearts of the American people, to kindle his memory into a flame of patriotism, and by the noble inspiration of his good and glorious name enable ourselves the better to maintain and defend that great and free government and Union which, under God, he established for us. I hope Congress will concur in the prayer of the petitioners, and I ask that it may be read.

WASHINGTON, D. C., Feb. 17, 1852.

To Hon. J. J. CRITTENDEN.

MY DEAR SIR,—It is the wish of the committee that the birth-night celebration come off at Willard's Hotel on Saturday night, and that you should respond to a sentiment in allusion to the President and heads of the administration. I intended to call and give you notice of the position assigned you in the *order* of the day, but have been too much occupied. You must hold yourself in readiness for the call made upon you.

The dinner is an anti-Kossuth affair, or at least it is intended as a demonstration in favor of the neutral policy of Washington. It is our intention to have the proceedings of the evening, with all the speeches, etc., printed in neat pamphlet form for circulation. Hour of meeting, seven o'clock.

Yours most respectfully,  
ALEXANDER H. STEVENS.

## CONGRESSIONAL CELEBRATION OF WASHINGTON'S BIRTHDAY.

Mr. Crittenden, in answer to loud calls from all parts of the hall, rose and said:

Mr. PRESIDENT,—I regret that in this company, where there are so many others more capable, I should have been selected and called upon to respond to the toast announcing the Father of his Country as its mighty theme. You have met, sir, to commemorate the anniversary of his birth. The occasion and the associations by which we are surrounded,—here, in the city which he founded, at the capital and seat of government which he established, in sight of Mount Vernon, his chosen residence and the sacred sepulchre of his remains,—the occasion and the associations make us feel as though we were almost brought into his presence; at least his name is here,—a name which can never die,—a living name, before which every head in the civilized world is bent in reverence, and to which the homage of every true American heart is due. [Loud cheers.] I almost fear to speak on such a subject. The character of Washington has ascended above the ordinary language of eulogy. A Cæsar, a Napoleon, a Cromwell may excite the noisy applause of the world, and inflame the passions of men by the story of their fields and their fame; but the name of Washington occupies a different, a serener, a calmer, a more celestial sphere. [Great applause.] There is not in his character, and there is not about his name, any of that turbulence, and excitement, and glare which constitute glory in the vulgar and worldly sense of the term. His name has sunk deep into the hearts of mankind, and more especially has it sunk deep into the mind and heart of America, and in that secret and inner temple it will reside without any of the forms of ostentatious idolatry. It resides in the inner recesses of the hearts of his countrymen; and, like an oracle, is continually whispering lessons of patriotism and of virtue. [Great cheering.] He never sought or asked for what men call glory. He sought to serve his kind and his country by his beneficence and his virtues, and he found in that service, and in the performance of his duty, that only and that richest reward which can recompense the patriot and the statesman. [Renewed and enthusiastic applause.] That was our Washington. Let all the rest of the world present anything like his parallel. The verdict of mankind has already assigned to him a pre-eminent and solitary grandeur. [Applause.] In him all the virtues seemed to be combined in the fairest proportions. The elements were so mixed in him, and his blood and judgment were so commingled, that all the virtues seemed to be the natural result, and to flow spontaneously from the combination,

as water from the purest fountain. In him the exercise of the most exalted virtue required no exertion; it was part and parcel of his nature, and of the glorious organization "to which every god had seemed to set his seal." [Applause.] Where was there any error in him? He was a man, and, therefore, in all humility, we, who share that humanity, must acknowledge that he had his imperfections; but who, through his long and eventful life, can point to an error or to a vice committed, or a duty omitted? His character was made up and compounded of all the virtues that constitute the hero, patriot, statesman, and benefactor [cheers], and all his achievements were but the practical developments of that character and of those virtues. [Applause.] He was the same everywhere,—in the camp, in the cabinet, at Mount Vernon. No difference could be distinguished anywhere. His greatness was of that innate and majestic character that was present with him everywhere. It was that which gave him his dignity, and not the occasional situations or offices which he held under the government. He dignified office; he elevated the highest rank, military or civil, which he ever held. No rank, military or civil, ever raised him, or could come up to that majesty of character which the God of his nature had implanted in him. [Great cheering.] That was our Washington. He was a firm believer in a divine Providence, and it belonged to his elevated and majestic mind to be so,—a mind that connected itself with the throne of the Deity from which it sprung. His heart was purified, and his motives were elevated by constant recurrence to that divine assistance which he thought was extended to his country, and to himself in his service of that country. Our history as a people is, to a remarkable extent, a history of providences; and among all the benignities of Providence, in a worldly point of view, I know no greater gift that she has conferred upon us than in the person of Washington himself. [Cheers.] She raised him up at the appointed time. She raised him up at a grand crisis in the affairs of mankind, when the thoughts of men were about taking a new direction; when the old things, the old despotisms, were about to pass away under the influence of a dawning public opinion which was about to reassert the long-lost rights of mankind; when you, a new-born people, for whom this mighty continent had been reserved as the most magnificent land that the Almighty ever prepared for man, had grown to an estate to feel your strength, to know your rights, and to be willing to struggle for them; Washington was raised up to become the great leader of those great popular principles of human rights, and to consecrate them, as it were, by connecting them in his own person with every personal,

moral, private, and public virtue; not leaving us to mere idealism, but exhibiting and embodying, in his own venerated and beloved person, all those mighty principles which were necessary to our success and to the establishment of our liberties. He led us triumphantly through a seven years' war, and our glorious Revolution being successfully accomplished, he applied himself, with all his influence and all his wisdom, to secure, by free and permanent institutions, all the blessings that liberty and independence could confer on his country. Our present Constitution and form of government were the grand results of his patriotic efforts. A new government being thus established, he was by the unanimous voice of his country called to the presidential office, that by his wisdom and influence he might put into practice and consolidate those new and untried institutions, by which all the blessings acquired by the Revolution and contemplated by that government were to be practically secured to the people of the United States. He served till the success of the experiment was demonstrated. He retired then to his beloved Mount Vernon, and there passed in honored privacy the remainder of his life. Where can another such character be exhibited on the pages of history? Providence intended him for a model. She has made his character cover the whole space of political and of private life. [Applause.] She trained him up in the humblest walks of private life. There he knew the wants and wishes and condition of the humblest of his fellow-citizens. The confidence which he inspired everywhere spread with every step that he advanced in life. He became commander of the army. With all the military despotism that belongs to such a state, he used his power without the oppression of a human being. During a seven years' war, amid such trials and troubles as no people ever saw, in no exigency, by no extremity, was he driven to the necessity of committing a trespass or wrong upon any man or any man's property. He needed no act of amnesty afterwards, by the government, to protect him against personal responsibility, which acts of violence might have rendered necessary to others. He led you triumphantly on. He was an example to all military men. He became President. He has left us an example there, to which we look back with filial reverence, and long, long may we do so. [Great applause.]

Before his retirement from office, he made to the people of the United States that "Farewell Address" so familiar to the thoughts of us all. It contains, as he himself said, the advice of a parting friend, who can possibly have no personal motive to bias his counsel. It was the gathered wisdom of all his life and of all his experience. What a legacy! We rejoice in



riches that no nation ever knew before. What are the mines of California with their perishing gold to this? You have a legacy left you in the wisdom of that man that is above all price. The Romans shouted, the Romans exulted, when Mark Antony told them that Cæsar had left them a few denarii, and the privilege of walking in his gardens. That was the imperial bequest. How ignoble, how trifling, does the Roman seem to you, my countrymen, who exult to-day in the legacy which was left you in the Farewell Address of Washington! [Great applause.] That is imperishable. So long as we remember it, it will render our government and our liberties imperishable; and when we forget it, it will survive in the memory, I trust in God, of some other people more worthy of it, even if it be to shame this degenerate republic. [Enthusiastic applause.] That Farewell Address contains wisdom enough, if we but attend to it; contains lessons enough to guide us in all our duties as citizens, and in all our public affairs. [Applause.] There are two subjects which recent occurrences have turned our attention to with particular interest, and which I may be allowed on this occasion to advert to, in no spirit of controversy or of unkindness towards any one, but in that spirit which induces me to desire to see every lesson of Washington daily, and constantly, and freshly brought to the mind of every citizen of the United States. To my children they were brought as their first lessons. There is none too old to profit by them, and they cannot be learned too early. You are familiar with that address, gentlemen, and I will therefore only ask you to allow me to allude to the two subjects upon which he has been peculiarly emphatic in his advice. The one is to preserve the union of the States [loud cheers]; that, he says, is the main pillar of the edifice of our independence and of our liberties; frown down every attempt to bring it into question, much less to subvert it; when it is gone all is gone. Let us heed this lesson, and be careful. I trust in God we have no grounds to apprehend such a degree of oppression as will compel us to raise our suicidal arms for the destruction of this great government, and of this Union which makes us brethren. [Great applause.] I do not allow my mind to look forward to such a disaster. I will look upon this Union as indissoluble, and as firmly rooted as the mountains of our native land. I will hope so; I will believe so. I will so act; and nothing but a necessity, invincible and overwhelming, can drive me to disunion. This is the sentiment, as I understand it, which Washington inculcates. Thank God, we have every hope of the restoration of every kind feeling now which made us, in times past, a united band of brothers from one end of this land to the other. [Loud cheers.]

But there are external dangers, also, against which Washington warns us; and that is the second subject to which I desire to ask your attention. Beware, he says, of the introduction or exercise of a foreign influence among you. [Loud and prolonged cheering.] We are Americans. Washington has taught us, and we have learned to govern ourselves. [Cheers.] If the rest of the world have not yet learned that great lesson, how shall they teach us? Shall they undertake to expound to us the Farewell Address of our Washington, or to influence us to depart from the policy recommended by him? [Great cheering.] We are the teachers, and they have not, or they will not, learn; and yet they come to teach us. [Here the whole company rose, and gave three tremendous cheers.] Be jealous, he said, of all foreign influence, and enter into entangling alliances with none. Cherish no particular partiality or prejudice for or against any people. [Cheers.] Be just to all,—impartial to all. It is folly to expect disinterested favors from any nation. [Great cheering.] That is not the relation or character of nations. Favor is a basis too uncertain upon which to place any steadfast or permanent relations. Justice and the interests of the parties is the only sound and substantial basis for national relations. So said General Washington,—so he teaches. He asks, “Why quit our own, to stand on foreign ground?” [Cheers.] Go not abroad to mingle yourselves in the quarrels or wars of other nations. Take care to do them no wrong, but avoid the romantic notion of righting the wrongs of all the world, and resisting by arms the oppression of all. [Great cheering.]

The sword and the bayonet have been useful in defending the rights and liberties of those who used them, but in what other hands have they ever contributed to promote the cause of freedom or of human rights? [Cheers.] The heart must be prepared for liberty. The understanding must know what it is, and how to value it. Then, if you put proper arms into the hands of the nation so imbued, I'll warrant you they will obtain and sustain their freedom. [Applause.] We have given the world an example of that success. But three millions, scattered over a vast territory, opposed to the most powerful enemy on earth, we went triumphantly through our Revolution and established our liberties. [Cheers.] But it is said that we have a right to interfere in the affairs of other nations, and in the quarrels of other nations. Why, certainly we have,—certainly we have. Any man has the right, if he pleases, to busy himself in the affairs and quarrels of all his neighbors; but he will not be likely to profit by it, and would be called a busybody for his pains. [Laughter and applause.] We, as a nation, have a

right to decide—and it is always a question of expediency—whether we will or will not interfere in the affairs of other nations. There are cases so connected with our own interests, and with the cause of humanity, that interference would be proper. But still, it is a question for the sound discretion of this people,—a question always of expediency,—whether you will or will not interfere; and it is just because it is a question of that character, and because our passions and sympathies may often tempt us to err upon it, that Washington has made it the subject of this emphatic admonition. [Applause.] It is not because we have not the right to interfere, but it is because we have the right, and because we are surrounded by temptations,—by the temptations of generous hearts and noble principles,—to transcend the limits of prudence and of policy, and to interfere in the affairs of our neighbors, that he has admonished us. [Applause.] Washington, with that forecast and that prophetic spirit which constituted a part of his character, saw through all this. He knew the warm and generous natures of his countrymen. He knew their susceptibility, and he knew where the danger of error was; and it is there that his wisdom has erected, as far as his advice can do it, a bulwark for our protection. [Applause.] He tells you, “Stand upon your own ground.” [Renewed applause.] That is the ground to stand upon.

What can you do by interference? Argument is unnecessary. The name of Washington ought to be authority,—prophetic, oracular authority for us. Is our mission in this world to interfere by arms? It is but little now, comparatively, of good that the bayonet and the sword can do. The plowshare does a thousand times more than either. [Great cheering.] The time was when arms were powerful instruments of oppression; but they cannot do much now, unless they are aided by the mercenary and degenerate spirit of the people over whom they are brandished. What could we do by armed interference in European politics? So mighty at home, what could we do abroad? How would our eagles pine and die if carried abroad, without the auspices of Washington, and against his advice, to engage in foreign wars of intervention, in distant regions of despotism, where we could no longer feed them from the plentiful tables of our liberty! [Enthusiastic applause.] We can do nothing there. We can do nothing in that way. I am not one of those who shrink from this thing simply because blood is to be shed. I have seen war. I have voted for maintaining it. I have contributed to maintain it. I pretend to no exquisite sensibility upon the subject of shedding blood where our public interest or our public glory call upon my fellow-citizens to lay down their lives and shed their blood. [Applause.] But

I do not wish to see them depart from those great and sure principles of policy which I am certain will lead my country to a greatness which will give to her word a power beyond that of armies in distant parts of the world. [Cheers.]

Our mission, so far as it concerns our distant brethren, is not a mission of arms. We are here to do what Washington advised us to do,—take care of our Union, have a proper respect for the Constitution and laws of our country, cultivate peace and commerce with all nations, do equal justice to all nations, and thereby set an example to them, and show forth in ourselves the blessings of self-government to all the world. [Applause.] Thus you will best convince mankind. Seeing you prosper, they will follow your example, and do likewise. It is by that power of opinion, by that power of reformation, that you can render the mightiest and greatest service that is in your power towards the spread of liberty all over the world. Adopt the policy of interference, and what is its consequence? War, endless war. If one interferes, another will interfere, and another, and another, and so this doctrine for the protection of republican liberty and human rights results in a perpetual, wide-spread, and wider-spreading war, until all mankind, overcome by slaughter and ruin, shall fall down bleeding and exhausted. [Applause.] I can see no other end, or good in it, unless you suppose that nations will consent that one alone shall erect itself into the arbiter and judge of the conduct of all the other nations, and that it alone shall interfere to execute what it alone determines to be national law. That alone can prevent wide-spread devastation from the adoption of this principle of intervention.

I beg pardon for the time I have occupied, but I hope that I may be excused for saying that I feel safer, I feel that my country is safer, while pursuing the policy of Washington, than in making any new experiments in politics, upon any new expositions of Washington's legacy and advice to the American people. [Great cheering.] I want to stand *super antiquas vias*,—upon the old road that Washington traveled, and that every President, from Washington to Fillmore, has traveled. [Great cheering.] This policy of non-intervention in the affairs of other countries has been maintained and sanctified by all our great magistrates. [Renewed cheering.] I may be defective in what is called "the spirit of the age," for aught I know; but I acknowledge that I feel safer in this ancient and well-tried policy than in the novelties of the present day.

And now, in conclusion, I hope I may be excused for saying that it has been the effort, and the honest effort, of the present administration—I ask no compliment for it—to follow in the

track that Washington marked out, and, with whatever unequal steps, it has endeavored to follow after him. That has been the model upon which Mr. Fillmore has endeavored, as it regarded all foreign countries, to fashion the course of policy of his administration. [Great applause.]

(Close of the Congressional Banquet given in memory of General Washington, 22d of February, 1852, in Washington City.)

Mr. Crittenden rose and said: This is the anniversary of the battle of Buena Vista. We commemorate it as the birthday of our Washington. I have said that Washington is a name that cannot die; it is a living name, and it will be a living name until we *as a people* are dead. It fought with us at the battle of Buena Vista. The name passed from soldier to soldier when those fearful odds of battle were counted: twenty-five thousand to four or five thousand raw militia! and the frequent exclamation heard among our ranks that "This is Washington's birthday" gave strength to every arm and fortified the courage of every heart. The name and spirit of Washington enabled us to conquer that day.

An honored and venerable gentleman (Mr. Curtis) has said "that the grave claims its due." Well, let the old usurer have it. What is it at last that is his due? The poor corporeal remnants of this poor humanity.

The spirit lives after it. The spirit of Washington is immortal, and still moves and acts upon the hearts of his countrymen. His form—his visible bodily form—has passed away from us, that majestic form "where every god had set his seal to give the world assurance of a man." [Cheers.] *That* is buried! gone beyond our sight! But his great spirit remains with us—that potent, mighty spirit; mighty to save, mighty to inspire, mighty to do battle for his countrymen, for whom he lived—for whom he died. That spirit did inspire us at Buena Vista, and to its influence we owe that memorable victory. It lives everywhere,—lives, sir, in us. The judge upon the bench partakes it. Presidents and generals acknowledge its power, and seek to emulate and follow the example of Washington. I know from intimate and long acquaintance that that old soldier (pointing to General Scott) who has so victoriously commanded our armies and led them to battle and to victory, has felt and cultivated the influence of that spirit, that his great ambition has been to fashion himself after that model man, General Washington.

But, Mr. President, we cannot well celebrate the 22d of February without having our hearts turned, also, to some memory of the victory of Buena Vista,—occurring on the same day,

and seeming to have emanated from the nativity of our Washington to shed, like a bright star, new lustre upon it.

We cannot think of Buena Vista without a grateful remembrance of that famous old *soldier* and *leader* to whom, under Providence, we were indebted for that victory—a victory almost without a parallel in history. The battles of his life are all over, and he sleeps with the mighty dead.

Allow me to offer you the illustrious name of that brave, good, and patriotic man, the hero of Buena Vista, General Taylor, the late President of the United States.

This toast was drunk standing and in silence.

(Robert C. Winthrop to J. J. Crittenden.)

BOSTON, May 13, 1852.

MY DEAR MR. CRITTENDEN,—I received a welcome letter from you weeks ago, for which I have often thanked you in spirit, and now tender you my cordial acknowledgments in due form. I trust that we are going to meet you all again this summer. You must come to Newport and resume your *red republican robes* and bathe off the debilities of a long heat at Washington. I wish you could be here at Commencement, July 22. Between now and then the great question of candidacy will be settled. How? How? Who can say? However it be, this only I pray,—give us a chance in Massachusetts to support it effectively. I do believe that we can elect Webster, Fillmore, Scott, or Crittenden, if there shall not be an unnecessary forcing of *mere shibboleths down our throats*. There is not an *agitator* in the whole Whig party here—no one who cares to disturb anything that has been done. As to the fugitive slave law, though I never thought it a wise piece of legislation, nor ever believed that it would be very effective, I have not the slightest doubt that it will long survive the satisfaction of the South and stand on the statute-book after its efficiency has become about equal to that of '93. But *tests* and *provisos* are odious things, whether Wilmot or *anti-Wilmot*. Webster is here, and his arrival has been the signal for a grand rally among his friends. There is no doubt but Massachusetts would work hard for him if he were fairly in the field, and I think there will be a general consent that he shall have the votes of all our delegates; but, what are they among so many? Do not let anybody imagine, however, that we shall *bolt* from the regular nominee, whoever he be, unless some unimaginably foolish action should be adopted by the convention.

Believe me, my dear sir, always most cordially and faithfully your friend and servant,

R. C. WINTHROP.

J. I. CRITTENDEN.

(J. J. Crittenden to Hon. Daniel Webster.)

WASHINGTON, June 10, 1852.

There is no duty, sir, that I more readily perform than that of making atonement frankly and voluntarily for any impropriety or fault of mine which may have done wrong or given offense to others.

I am sensible that yesterday I was betrayed into the impropriety of addressing you in a manner and with a degree of excitement wanting in proper courtesy and respect.

I regret it, sir, and I hope that this will be received as a satisfactory atonement, and that you will properly understand the motive which prompts it.

I am very respectfully yours,

Hon. DANIEL WEBSTER.

J. J. CRITTENDEN.

(Daniel Webster to J. J. Crittenden.)

WASHINGTON, 1852.

MY DEAR SIR,—Your note of yesterday has given me relief and pleasure. It is certainly true that your remarks at the President's day before caused me uneasiness and concern; but my heart is, and has always been, full of kindness for you, and I dismiss from my mind at once all recollection of a painful incident.

Yours, as ever, truly,

Mr. CRITTENDEN.

DANIEL WEBSTER.

(J. R. Underwood to J. J. Crittenden.)

WASHINGTON, June 19, 1852.

DEAR SIR,—Conversing to-day with Mr. Clay, I gave him a brief account of my observations at Baltimore. I told him that the division in the Whig Convention might result in withdrawing Mr. Fillmore, Mr. Webster, and General Scott, in which event I said, from what I had heard, it was not improbable that you would receive the nomination.

I then ventured to ask him whether a difference between him and you, of which I had heard rumors, still existed, and whether he would be reconciled to your nomination. He replied to this effect:

"Mr. Crittenden and myself are cordial friends, and if it be necessary to bring him forward as the candidate, it will meet with my hearty approbation." Supposing it may be agreeable to you to retain this evidence of Mr. Clay's good feeling and friendship, I take pleasure in placing it in your possession.

With sincere esteem, your obedient servant,

J. R. UNDERWOOD.

Hon. J. J. CRITTENDEN.

(Hon. Thomas Corwin to J. J. Crittenden.)

WASHINGTON.

DEAR CRITTENDEN,—If Messrs. Crittenden and Burnley, or either of them, want exercise, let them visit the *sick*. Here I am ensconced, like a Hebrew of old, on my back, about to dine, but, unlike the Hebrew, with no stomach for dinner. Oh, these cursed influenzas, they fatten on Washington patronage alone! *Hot water* runs out of one eye like sap from a sugar-tree, or like *lava* from Vesuvius. The mucous membrane of my nose, "os frontis" and "os occipitis," is, of course, in a melting mood. Did you ever look into the technology of anatomy? If not, this Latin will be above "*your huckleberry*." Is there no news—no *lies* brought forth to-day? Has the Father of Lies been celebrating the 8th of January, and allowed his children a holiday? Is Kossuth a candidate for the Presidency? Oh, you should have seen Sam Houston *last night*, with a red handkerchief hanging down two feet from the rear pocket of his coat! He looked like the devil with a yard of brimstone on fire in his rear. All the candidates were there, and acted as if they thought themselves second fiddlers to the *great leader* of the orchestra in that *humbug theatre*.

Civilized men are all *asses*. Your gentleman of God's making, nowadays, is only to be found in savage life. God help us!

Good-night,

Hon. J. J. CRITTENDEN.

THOMAS CORWIN.

(Hon. James Buchanan to J. J. Crittenden.)

Tuesday evening.

MY DEAR SIR,—Colonel King has just mentioned to me (and I am sorry he did not do so before we left the Senate) that you felt yourself aggrieved by my remarks on Thursday last, and thought they were calculated to injure you. I can assure you that you are among the last of living men whom I would desire to injure.

It is not too late yet to suppress all these remarks, except my disclaimer of the doctrine imputed to me in the Kentucky pamphlet. The debate will not be published in the *Globe* until to-morrow evening; and I am not only willing, but I am anxious, that it shall *never appear*. If this be your wish, please to call and see me this evening, and we can go to Rives and arrange the whole matter. I live at Mrs. Miller's,—it is almost on your way,—on F Street, where Barnard lived last session.

Yours sincerely,

Hon. J. J. CRITTENDEN.

JAMES BUCHANAN.



## CHAPTER III.

1852-1853.

Address on Life and Death of Henry Clay, September 29, 1852—Letters to Mrs. Crittenden, Mrs. Coleman, President Pierce—Letter of Edward Everett.

**M**R. CRITTENDEN was invited, by the State of Kentucky, to deliver this address in commemoration of Henry Clay:

ADDRESS ON THE LIFE AND DEATH OF HENRY CLAY, DELIVERED  
AT LOUISVILLE, SEPTEMBER 29, 1852.

LADIES AND GENTLEMEN,—I am very sensible of the difficulty and magnitude of the task which I have undertaken.

I am to address you in commemoration of the public services of HENRY CLAY, and in celebration of his obsequies. His death filled his whole country with mourning, and the loss of no citizen, save the Father of his Country, has ever produced such manifestations of the grief and homage of the public heart. His history has indeed been read "in a nation's eyes." A nation's tears proclaim, with their silent eloquence, its sense of the national loss. Kentucky has more than a common share in this national bereavement. To her it is a domestic grief,—to her belongs the sad privilege of being the chief mourner. He was her favorite son, her pride, and her glory. She mourns for him as a mother. But let her not mourn as those who have no hope or consolation. She can find the richest and the noblest solace in the memory of her son, and of his great and good actions; and his fame will come back, like a comforter, from his grave, to wipe away her tears. Even while she weeps for him, her tears shall be mingled with the proud feelings of triumph which his name will inspire; and Old Kentucky, from the depths of her affectionate and heroic heart, shall exclaim, like the Duke of Ormond, when informed that his brave son had fallen in battle, "I would not exchange my dead son for any living son in Christendom." From these same abundant sources we may hope that the widowed partner of his life, who now sits in sadness at Ashland, will derive some pleasing consolations. I presume not to offer any words of comfort of my own. Her grief is too sacred to permit me to use that privilege.

You, sons and daughters of Kentucky, have assembled here

to commemorate his life and death. How can I address you suitably on such a theme? I feel the oppressive consciousness that I cannot do it in terms adequate to the subject, or to your excited feelings. I am no orator, nor have I come here to attempt any idle or vainglorious display of words; I come as a plain Kentuckian, who, sympathizing in all your feelings, presents you with this address, as his poor offering, to be laid upon that altar which you are here erecting to the memory of Henry Clay. Let it not be judged according to its own value, but according to the spirit in which it is offered. It would be no difficult task to address you on this occasion in the extravagant and rhetorical language that is usual in funeral orations; but my subject deserves a different treatment—the monumental name of Henry Clay rises above all mere personal favor and flattery; it rejects them, and challenges the scrutiny and the judgment of the world. The noble uses to which his name should be applied, are to teach his country, by his example, lessons of public virtue and political wisdom; to teach patriots and statesmen how to act, how to live, and how to die. I can but glance at a subject that spreads out in such bright and boundless expanse before me.

Henry Clay lived in a most eventful period, and the history of his life for forty years has been literally that of his country. He was so identified with the government for more than two-thirds of its existence, that, during that time, hardly any act which has redounded to its honor, its prosperity, its present rank among the nations of the earth, can be spoken of without calling to mind involuntarily the lineaments of his noble person. It would be difficult to determine whether in peace or in war, in the field of legislation or of diplomacy, in the spring-tide of his life, or in its golden ebb, he won the highest honor. It can be no disparagement to any one of his contemporaries to say that, in all the points of practical statesmanship, he encountered no superior in any of the employments which his constituents or his country conferred upon him.

For the reason that he had been so much and so constantly in the public eye, an elaborate review of his life will not be expected of me. All that I shall attempt will be to sketch a few leading traits, which may serve to give those who have had fewer opportunities of observation than I have had something like a just idea of his public character and services. If, in doing this, I speak more at large of the earlier than of the later periods of his life, it is because, in regard to the former, though of vast consequence, intervening years have thrown them somewhat in the background.

Passing by, therefore, the prior service of Mr. Clay in the

Senate for brief periods in 1806 and 1810-11, I come at once to his Speakership in the House of Representatives, and his consequent agency in the war of 1812.

To that war our country is indebted for much of the security, freedom, prosperity, and reputation which it now enjoys. It has been truly said by one of the living actors in that perilous era, that *the very act of our* going to war was heroic.\* By the supremacy of the naval power of England the fleets of all Europe had been swept from the seas; the banner of the United States alone floated in solitary fearlessness. She seemed to encircle the earth with her navies, and to be the undisputed mistress of the ocean. We went out upon the deep with a sling in our hands. When, in all time, were such fearful odds seen as we had against us?

The events of the war with England, so memorable, and even wonderful, are too familiar to all to require any particular recital on this occasion. Of that war,—of its causes and consequences,—of its disasters, its bloody battles, and its glorious victories by land and sea, history and our own official records have given a faithful narrative. A just national pride has engraven that narrative upon our hearts. But even in the fiercest conflicts of that war, there was nothing more truly heroic than the declaration of it by Congress.

Of that declaration, of the incidents, personal influences, and anxious deliberations which preceded and led to it, the history is not so well or generally known. The more it is known the more it will appear how important was the part that Mr. Clay acted, and how much we are indebted to him for all the glorious and beneficial issues of the declaration of that war, which has not inappropriately been called the *Second War of Independence*.

The public grounds of the war were the injustice, injury, and insults inflicted on the United States by the government of Great Britain, then engaged in a war of maritime edicts with France, of which the commerce of the United States was the victim, our merchant ships being captured by British cruisers on every sea, and confiscated by her courts, in utter contempt of the rights of this nation as an independent power. Added to this, and more offensive than even those outrages, was the arrogation, by the same power, of a right to search American vessels for the purpose of impressing seamen from vessels sailing under the American flag. These aggressions upon our national rights constituted, undoubtedly, justifiable cause of war. With equal justice on our part, and on the same grounds (impressment of seamen excepted), we should have been warranted in declaring

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\* Hon. Mr. Rush.

war against France also ; but common sense (not to speak of policy) forbade our engaging with two nations at once, and dictated the selection, as an adversary, of the one that had power, which the other had not, to carry its arbitrary edicts into full effect. The war was really, on our part, a war for national existence.

When Congress assembled, in November, 1811, the crisis was upon us. But, as may be readily imagined, it could be no easy matter to nerve the heart of Congress, all unprepared for the dread encounter, to take the step, which there could be no retracing, of a declaration of war.

Nor could that task, in all probability, ever have been accomplished, but for the concurrence, purely accidental, of two circumstances: the one, the presence of Henry Clay in the chair of the popular branch of the national legislature; and the other, that of James Monroe, as Secretary of State, in the executive administration of the government.

Mr. Monroe had returned but a year or two before from a course of public service abroad, in which, as minister plenipotentiary, he had represented the United States at the several courts, in succession, of France, Spain, and Great Britain. From the last of these missions he had come home, thoroughly disgusted with the contemptuous manner in which the rights of the United States were treated by the belligerent powers, and especially by England. This treatment, which even extended to the personal intercourse between their ministers and the representatives of this country, he considered as indicative of a settled determination on their part, presuming upon the supposed incapacity of this government for war, to *reduce to system* a course of conduct calculated to debase and prostrate us in the eyes of the world. Reasoning thus, he had brought his mind to a serious and firm conviction that the rights of the United States, as a nation, would never be respected by the powers of the Old World until this government summoned up resolution to resent such usage, not by arguments and protests merely, but by an appeal to arms. Full of this sentiment, Mr. Monroe was called, upon a casual vacancy, when it was least expected by himself or the country, to the head of the Department of State. That sentiment, and the feelings which we have thus accounted for, Mr. Monroe soon communicated to his associates in the cabinet, and, in some degree it might well be supposed, to the great statesman then at the head of the government.

The tone of President Madison's first message to Congress (November 5, 1811), a few months only after Mr. Monroe's accession to the cabinet, can leave hardly a doubt in any mind

of such having been the case. That message was throughout of the gravest cast, reciting the aggressions and aggravations of Great Britain, as demanding resistance, and urging upon Congress the duty of putting the country "into an armor and attitude demanded by the crisis and corresponding with the national spirit and expectations."

It was precisely at this point of time that Mr. Clay, having resigned his seat in the Senate, appeared on the floor of the House of Representatives, and was chosen, almost by acclamation, Speaker of that body. From that moment he exercised an influence, in a great degree personal, which materially affected, if it did not control, the judgment of the House. Among the very first acts which devolved upon him by virtue of his office was the appointment of the committees raised upon the President's message. Upon the select committee of nine members to which was referred "so much of the message as relates to our foreign relations," he appointed a large proportion from among the fast friends of the administration, nearly all of them being new members and younger than himself, though he was not then more than thirty-five years of age. It is impossible, at this day, to call to mind the names of which this committee was composed (Porter, Calhoun, and Grundy being the first named among them), without coming to the conclusion that the committee was constituted with a view to the event predetermined in the mind of the Speaker. There can be no question that when, quitting the Senate, he entered the representative body, he had become satisfied that, by the continued encroachments of Great Britain on our national rights, the choice of the country was narrowed down to war or submission. Between these there could be no hesitation in such a mind as that of Mr. Clay which to choose. In this emergency he acted for his country as he would in a like case for himself. Desiring and cultivating the good will of all, he never shrank from any personal responsibility, nor cowered before any danger. More than a year before his accession to the House of Representatives he had, in a debate in the Senate, taken occasion to say that "he most sincerely desired peace and amity with England; that he even preferred an adjustment of all differences with her to one with any other nation; but, if she persisted in a denial of justice to us, he trusted and hoped that all hearts would unite in a bold and vigorous vindication of our rights." It was in this brave spirit, animated to increased fervency by intervening aggressions from the same quarter, that Mr. Clay entered into the House of Representatives.

Early in the second month of the session, availing himself of the right then freely used by the Speaker to engage in discus-

sion while the House was in committee of the whole, he dashed into the debates upon the measures of military and naval preparation recommended by the President and reported upon favorably by the committee. He avowed, without reserve, that the object of this preparation was *war*, and *war with Great Britain*.

In these debates he showed his familiarity with all the weapons of popular oratory. In a tempest of eloquence, in which he wielded alternately argument, persuasion, remonstrance, invective, ridicule, and reproach, he swept before him all opposition to the high resolve to which he exhorted Congress. To the argument (for example) against preparing for a war with England, founded upon the idea of her being engaged, in her conflict with France, in fighting the battles of the world, he replied, that such a purpose would be best achieved by a scrupulous observance of the rights of others, and by respecting that public law which she professed to vindicate. "*Then*," said he, "she would command the sympathies of the world. But what are *we* required to do by those who would engage our feelings and wishes in her behalf? *To bear the actual cuffs of her arrogance*, that we may escape a chimerical French subjugation. We are called upon to submit to debasement, dishonor, and disgrace; to bow the neck to royal insolence, as a course of preparation for manly resistance to Gallic invasion! What nation, what individual, was ever taught, *in the schools of ignominious submission*, these patriotic lessons of freedom and independence?" And to the argument that this government was unfit for any war but a war against invasion,—so signally since disproved by actual events,—he exclaimed, with characteristic vehemence, "What! is it not equivalent to invasion, if the mouths of our outlets and harbors are blocked up, and we are denied egress from our own waters? Or, when the burglar is at our door, shall we bravely sally forth and repel his felonious entrance, or meanly skulk within the cells of the castle? . . . What! shall it be said that *our amor patriæ* is located at these desks? that we *pusillanimously cling to our seats here*, rather than vindicate the most inestimable rights of our country?" Whilst in debate upon another occasion, at nearly the same time, he showed how well he could *reason* upon a question which demanded argument rather than declamation. To his able support of the proposition of Mr. Cheves to add to our then small but gallant navy ten frigates, may be ascribed the success, though by a lean majority, of that proposition. Replying to the objection, urged with great zeal by certain members, that navies were dangerous to liberty, he argued that the source of this alarm was *in themselves*. "Gentlemen fear," said he, "that if we provide a marine it will produce collision with foreign

nations, plunge us into war, and ultimately overturn the Constitution of the country. Sir, if you wish to avoid foreign collision, you had better abandon the ocean, surrender all your commerce, give up all your prosperity. It is the thing protected, not the instrument of protection, that involves you in war. Commerce engenders collision, collision war, and war, the argument supposes, leads to despotism. Would the counsels of that statesman be deemed wise who would recommend that the nation should be unarmed; that the art of war, the martial spirit, and martial exercises, should be prohibited; who should declare, in a word, that the great body of the people should be taught that national happiness was to be found in perpetual peace alone?"

While Mr. Clay, in the capitol, was, with his trumpet-tongue, rousing Congress to prepare for war, Mr. Monroe, then Secretary of State, gave his powerful co-operation, and lent the Nestor-like sanction of his age and experience to the bold measures of his young and more ardent compatriot. It was chiefly through their fearless influence that Congress was gradually warmed up to a war spirit, and to the adoption of some preparatory measures. But no actual declaration of war had yet been proposed. There was a strong opposition in Congress, and the President, Mr. Madison, hesitated to recommend it, only because he doubted whether Congress was yet sufficiently determined and resolved to maintain such a declaration, and to maintain it to all the extremities of war.

The influence and counsel of Mr. Clay again prevailed. He waited upon the President, at the head of a deputation of members of Congress, and assured him of the readiness of a majority of Congress to vote the war if recommended by him. Upon this the President immediately recommended it by his message to Congress of the first Monday of June, 1812. A bill declaring war with Great Britain soon followed in Congress, and, after a discussion in secret session for a few days, became a law. Then began the war.

When the doors of the House of Representatives were opened, the debates which had taken place in secret session were spoken of and repeated, and it appeared, as must have been expected by all, that Mr. Clay had been the great defender and champion of the declaration of war.

Mr. Clay continued in the House of Representatives for some time after the commencement of the war, and having assisted in doing all that could be done for it in the way of legislation, was withdrawn from his position in Congress to share in the deliberations of the great conference of American and British Commissioners held at Ghent. His part in that convention was

such as might have been expected from his course in Congress, —high-toned and high-spirited, despairing of nothing.

I need not add, but for form, that acting in this spirit, Mr. Clay, and his patriotic and able associates, succeeded beyond all the hopes at that time entertained at home, in making a treaty, which, in putting a stop to the war, if it did not accomplish everything contended for, saved and secured, at all points, the honor of the United States.

Thus began and ended the war of 1812. On our part it was just and necessary, and, in its results, eminently beneficial and honorable.

The benefits have extended to all the world, for, in vindicating our own maritime rights, we established the freedom of the seas to all nations, and since then no one of them has arrogated any supremacy upon that ocean given by the Almighty as the common and equal inheritance of all.

To Henry Clay, as its chief mover and author, belongs the statesman's portion of the glory of that war; and to the same Henry Clay, as one of the makers and signers of the treaty by which it was terminated, belong the blessings of the peace-maker. His crown is made up of the jewels of peace and of war.

Prompt to take up arms to resent our wrongs and vindicate our national rights, the return of peace was yet gladly hailed by the whole country. And well it might be. Our military character, at the lowest point of degradation when we dared the fight, had been retrieved. The national honor, insulted at all the courts of Europe, had been redeemed; the freedom of the seas secured to our flag and all who sail under it; and what was most influential in inspiring confidence at home, and assuring respect abroad, was the demonstration, by the result of the late conflict, of the competency of this government for effective war, as it had before proved itself for all the duties of a season of peace.

The Congress which succeeded the war, to a seat in which Mr. Clay was elected while yet abroad, exhibited a feature of a national jubilee, in place of the gravity and almost gloom which had settled on the countenance of the same body during the latter part of the war and of the conference at Ghent. Joy shone on every face. Justly has that period been termed "the era of good feeling." Again placed in the chair of the House of Representatives, and all important questions being then considered as in committee of the whole, in which the Speaker descends to the floor of the House, Mr. Clay distinguished himself in the debates upon every question of interest that came up, and was the author, during that and following Con-



gresses, of more important measures than it has been the fortune of any other member, either then or since, to have his name identified with.

It would exceed the proper limits of this discourse to particularize all those measures. I can do no more than refer to a very few of them, which have become landmarks in the history of our country.

First in order of these was his origination of the first proposition for the recognition of the independence of the states of South America, then struggling for liberty. This was on the 24th of March, 1818. It was on that day that he first formally presented the proposition to the House of Representatives. But neither the President nor Congress was then prepared for a measure so bold and decisive, and it was rejected by a large majority of the House, though advocated and urged by him with all the vehemence and power of his unsurpassed ability and eloquence. Undaunted by this defeat, he continued to pursue the subject with all the inflexible energy of his character. On the 3d of April, 1820, he renewed his proposition for the recognition of South American independence, and finally succeeded, against strong opposition, not only in passing it through the House of Representatives, but in inducing that body to adopt the emphatic and extraordinary course of sending it to the President by a committee especially appointed for the purpose. Of that committee Mr. Clay was the chairman, and, at its head, performed the duty assigned them. In the year 1822 Mr. Clay's noble exertions on this great subject were crowned with complete success by the President's formal recognition of South American independence, with the sanction of Congress.

It requires some little exertion, at this day, to turn our minds back and contemplate the vast importance of the revolutions then in progress in South America, as the subject was then presented, with all the uncertainties and perils that surrounded it. Those revolutions constituted a great movement in the moral and political world. By their results great interests and great principles throughout the civilized world, and especially in our own country, might, and probably would, be materially affected.

Mr. Clay comprehended the crisis. Its magnitude and its character were suited to his temper and to his great intellect.

He saw before him, throughout the vast continent of South America, the people of its various states or provinces struggling to cast off that Spanish oppression and tyranny which for three hundred years had weighed them down and seeking to reclaim and re-establish their long-lost liberty and independ-

ence. He saw them not only struggling but succeeding, and with their naked hands breaking their chains and driving their oppressors before them. But the conflict was not yet over; Spain still continued to wage formidable and desperate hostilities against her colonies to reduce them to submission. They were still struggling and bleeding, and the result yet depended on the uncertain issues of war.

What a spectacle was there presented to the contemplation of the world! The prime object of attention and interest there to be seen was *man bravely struggling for liberty*. That was enough for Henry Clay. His generous soul overflowed with sympathy. But this was not all; there were graver and higher considerations that belonged to the subject, and these were all felt and appreciated by Mr. Clay.

If South America was resubjugated by Spain, she would in effect become European and relapse into the system of European policy,—the system of legitimacy, monarchy, and absolutism. On the other hand, if she succeeded in establishing her independence, the *principle* of free institutions would be established with it, and republics, kindred to our own, would rise up to protect, extend, and defend the rights and liberties of mankind.

It was not, then, a mere struggle between Spain and her colonies. In its consequences, at least, it went much further, and, in effect, was a contest between the great antagonist *principles* and *systems* of arbitrary European governments and of free American governments. Whether the millions of people who inhabited, or were to inhabit, South America, were to become the victims and the instruments of the arbitrary *principle*, or the supporters of the *free principle*, was a question of momentous consequence now and in all time to come.

With these views, Mr. Clay, from sympathy and policy, embraced the cause of South American independence. He proposed no actual intervention in her behalf, but he wished to aid her with all the moral power and encouragement that could be given by a welcome recognition of her by the government of the United States.

To him belongs the distinguished honor of being the *first* among the statesmen of the world to espouse and plead the cause of South America, and to propose and urge the recognition of her independence. And his own country is indebted to him for the honor of being the first nation to offer that recognition.

When the magnitude of the subject, and the weighty interest and consequences attached to it, are considered, it seems to me that there is no more palmy day in the life of Mr. Clay than that in which, at the head of his committee, he presented to the

President the resolution of the House of Representatives in favor of the recognition of South American independence.

On that occasion he appears in all the sublimity of his nature, and the statesman, invested with all the sympathies and feelings of humanity, is enlarged and elevated into the character of the friend and guardian of universal liberty.

How far South America may have been aided or influenced in her struggles by the recognition of our government, or by the noble appeals which Mr. Clay had previously addressed, in her behalf, to Congress and to the world, we cannot say; but it is known that those speeches were read at the head of her armies, and that grateful thanks were returned. It is not too much to suppose that he exercised great and, perhaps, decisive influence in her affairs and destinies.

Years after the first of Mr. Clay's noble exertions in the cause of South America, and some time after those exertions had led the government of the United States to recognize the new States of South America, they were also recognized by the government of Great Britain, and Mr. Canning, her minister, thereupon took occasion to say, in the House of Commons, "there (alluding to South America) I have called a new world into existence!" That was a vain boast. If it can be said of any man, it must be said of Henry Clay, that he called that "new world into existence."\*

Mr. Clay was the father of the policy of internal improvement by the general government. The expediency of such legislation had, indeed, been suggested, in one of his later annual messages to Congress, by President Jefferson, and that suggestion was revived by President Madison in the last of *his* annual messages. The late Bank of the United States having been then just established, a bill passed, in supposed conformity to Mr. Madison's recommendation, for setting aside the annual bonus, to be paid by the bank, as a fund for the purposes of internal improvement. This bill Mr. Madison very unexpectedly, on the last day of the term of his office, returned to the House of Representatives without his signature, assigning the reasons for his withholding it,—reasons which related rather to the form than the substance,—and recommending an amendment to the Constitution to confer upon Congress the necessary power to carry out that policy. The bill of course fell through for that session. Whilst this bill was on its passage, Mr. Clay had spoken in favor of it, declaring his own decided opinion in favor of the constitutionality and expediency of the measure. Mr. Monroe, immediately succeeding Mr. Madison in the Presidency,

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\* See Mr. Rush's letter to Mr. Clay, vol. i. Collins's *Life of Henry Clay*.

introduced into his first annual message a declaration, in advance of any proposition on the subject, of a settled conviction on his mind that Congress *did not* possess the right to enter upon a system of internal improvement. But for this declaration, it may be doubted that the subject would have been again agitated so soon after Mr. Madison's veto. The threat of a recurrence to that resort by the new President roused up a spirit of defiance in the popular branch of Congress, and especially in the lion heart of Mr. Clay; and by his advice and counsel a resolution was introduced declaring that Congress *has* power, under the Constitution, to make appropriations for the construction of military roads, post-roads, and canals. Upon this proposition, in committee of the whole House, Mr. Clay attacked, with all his powers of argument, wit, and raillery, the interdiction in the message.

He considered that the question was now one between the executive on the one hand, and the representatives of the people on the other, and that it was so understood by the country; that if, by the communication of his opinion to Congress, the President intended to prevent discussion, he had "most wofully failed;" that in having (Mr. Clay had no doubt the best motives) *volunteered* his opinion upon the subject, he had "inverted the order of legislation by beginning where it should end;" and, after an able and unanswerable argument on the question of the power, concluded by saying, "*If we do nothing this session but pass an abstract resolution on the subject*, I shall, under all circumstances, consider it a triumph for the best interest of the country, of which posterity will, if we do not, reap the benefit." And the abstract resolution *did* pass by a vote of 90 to 75; and *a triumph* it was which Mr. Clay had every right to consider as his own, and all the more grateful to his feelings because he had hardly hoped for it.

Referring on the final success, at a distance of thirty-five years, of the *principle* thus established, in the recent passage by Congress of the act for the improvement of certain of the ports and harbors and navigable rivers of the country, let "posterity" not forget, on this occasion, to what honored name is undoubtedly due the credit of the first legislative assertion of the power.

Mr. Clay was, perhaps, the only man since Washington, who could have said, with entire truth, as he did, "*I had rather be right than be President.*" Honor and patriotism were his great and distinguishing traits. The first had its spring and support in his fearless spirit; the second in his peculiar Americanism of sentiment. It was those two principles which ever threw his whole soul into every contest where the public interest was deeply involved, and above all, into every question which in the

least menaced the integrity of the Union. This last was, with him, *the Ark of the Covenant*; and he was ever as ready to peril his own life in its defense as he was to pronounce the doom of a traitor on any one who would dare to touch it with hostile hands. It was the ardor of this devotion to his country, and to the sheet-anchor of its liberty and safety, the union of the States, that rendered him so conspicuous in every conflict that threatened either the one or the other with harm. All are familiar with his more recent, indeed, his last, great struggle for his country, when the foundations of the Union trembled under the fierce sectional agitation, so happily adjusted and pacified by the wise measures of compromise which he proposed in the Senate, and which were, in the end, in substance adopted. That brilliant epoch in his history is fresh in the memory of all who hear me, and never will be forgotten by them. An equally glorious success, achieved by his patriotism, his resoluteness, and the great power of his oratory, was one which few of this assembly are old enough vividly to remember; but which, in the memory of those who witnessed the effort, and the success of that greatest triumph of his master-spirit, will ever live the most interesting in the life of the great statesman. I mean the Missouri controversy. Then, indeed, did common courage quail, and hope seemed to sink before the storm that burst upon and threatened to overwhelm the Union.

Into the history of what is familiarly known as the "Missouri Question," it is not necessary, if time would allow, that I should enter at any length. The subject of the controversy, as all my hearers know, was the disposition of the House of Representatives, manifested on more than one occasion, and by repeated votes, to require—as a condition of the admission of the Territory of Missouri into the Union as a State—the perpetual prohibition of the introduction of slavery into the Territories of the United States west of the Mississippi. During the conflict to which this proposition gave rise in 1820, the debates were from the beginning earnest, prolonged, and excited. In the early stages of them Mr. Clay exerted to the utmost his powers of argument, conciliation, and persuasion, speaking, on one occasion, it is stated, for four and a half hours without intermission. A bill finally passed both houses, authorizing the people of the Territory of Missouri to form a constitution of State government, with the prohibition of slavery *restricted* to the territory lying north of 36 deg. 30 min. of north latitude.

This was in the first session of the Sixteenth Congress, Mr. Clay still being Speaker of the House. On the approach of the second session of this Congress, Mr. Clay, being compelled by his private affairs to remain at home, forwarded his resigna-

tion as Speaker, but retained his seat as a member, in view of the pendency of this question. Mr. Taylor, of New York, the zealous advocate of the prohibition of slavery in Missouri and elsewhere in the West, was chosen *Speaker* to succeed Mr. Clay. This fact, of itself, under all the circumstances, was ominous of what was to follow. Alarmed, apparently, at this aspect of things, Mr. Clay resumed his seat in the House on the 16th of January, 1821. The constitution formed by Missouri and transmitted to Congress, under the authority of the act passed in the preceding session, contained a provision (superfluous even for its own object) making it the duty of the General Assembly, as soon as might be, to pass an act to prevent free negroes and mulattoes from coming to or settling in the State of Missouri "upon any pretext whatever." The reception of the constitution with this offensive provision in it was the signal of discord apparently irreconcilable, when, just as it had risen to its height, Mr. Clay, on the 16th of January, 1821, resumed his seat in the House of Representatives. Less than six weeks of the term of Congress then remained. The great hold which he had upon the affections, as well as the respect, of all parties induced upon his arrival a momentary lull in the tempest. He at once engaged earnestly and solicitously in counsel with all parties in this alarming controversy, and on the 2d of February moved the appointment of a committee of thirteen members to consider the subject. The report of that committee, after four days of conference, in which the feelings of all parties had clearly been consulted, notwithstanding it was most earnestly supported by Mr. Clay in a speech of such power and pathos as to draw tears from many hearers, was rejected by a vote of 83 nays to 80 yeas. No one, not a witness, can conceive the intense excitement which existed at this moment within and without the walls of Congress, aggravated as it was by the arrival of the day for counting the electoral votes for President and Vice-President, among which was tendered the vote of Missouri as a State, though not yet admitted as such. Her vote was disposed of by being counted hypothetically, that is to say, that *with* the vote of Missouri, the then state of the general vote would be so and so; *without* it, so and so. If her vote, admitted, would have *changed the result*, no one can pretend to say how disastrous the consequences might not have been.

On Mr. Clay alone now rested the hopes of all rational and dispassionate men for a final adjustment of this question; and one week only, with three days of grace, remained of the existence of that Congress. On the 22d of the month, Mr. Clay made a last effort, by moving the appointment of a joint com-

mittee of the two houses, to consider and report whether it was expedient or not to make provision for the admission of Missouri into the Union on the same footing of the original States; and, if not, whether any other provision, adapted to her actual condition, ought to be made by law. The motion was agreed to, and a committee of twenty-three members appointed by ballot under it. The report by that committee (a modification of the previously *rejected* report) was ratified by the House, but by the close vote of 87 to 81. The Senate concurred, and so this distracting question was at last settled, with an acquiescence in it by all parties, which has never been since disturbed.

I have already spoken of this as the great triumph of Mr. Clay; I might have said, the greatest civil triumph ever achieved by mortal man. It was one towards which the combination of the highest ability and the most commanding eloquence would have labored in vain. There would still have been wanting the ardor, the vehemence, the impetuosity of character of Henry Clay, under the influence of which he sometimes overleaped all barriers, and carried his point literally by storm. One incident of this kind is well remembered in connection with the Missouri question. It was in an evening sitting, whilst this question was yet in suspense. Mr. Clay had made a motion to allow one or two members to vote who had been absent when their names were called. The Speaker (Mr. Taylor), who, to a naturally equable temperament, added a most provoking calmness of manner when all around him was excitement, blandly stated, for the information of the gentleman, that the motion "was not in order." Mr. Clay then moved to suspend the rule forbidding it, so as to allow him to make the motion; but the Speaker, with imperturbable serenity, informed him that, according to the rules and orders, such a motion could not be received without the unanimous consent of the House. "*Then,*" said Mr. Clay, exerting his voice even beyond its highest wont, "*I move to suspend ALL the rules of the House! Away with them!* Is it to be endured, that we shall be trammelled in our action by mere forms and technicalities at a moment like this, when the peace, and perhaps the existence, of this Union is at stake?"

Besides those to which I have alluded, Mr. Clay performed many other signal public services, which would have illustrated the character of any other American statesman. Among these we cannot refrain from mentioning his measures for the protection of American industry, and his compromise measure of 1833, by which the country was relieved from the dangers and agitations produced by the doctrine and spirit of "nullification." Indeed, his name is identified with all the great measures of government during the long period of his public life. But the

occasion does not permit me to proceed further with this review of his public services. History will record them to his honor.

Henry Clay was indebted to no adventitious circumstances for the success and glory of his life. Sprung from an humble stock, "he was fashioned to much honor from his cradle;" and he achieved it by the noble use of the means which God and nature had given him. He was no scholar, and had none of the advantages of collegiate education. But there was a "divinity that stirred within him." He was a man of a genius mighty enough to supply all the defects of education. By its keen, penetrating observation, its quick apprehension, its comprehensive and clear conception, he gathered knowledge without the study of books; he could draw it from the fountain-head,—pure and undefiled; it was unborrowed; the acquisition of his own observation, reflection, and experience; and all his own. It entered into the composition of the man, forming part of his mind, and strengthening and preparing him for all those great scenes of intellectual exertion or controversy in which his life was spent. His armor was always on, and he was ever ready for the battle.

This mighty genius was accompanied, in him, by all the qualities necessary to sustain its action, and to make it most irresistible. His person was tall and commanding, and his demeanor—

"Lofty and sour to them that loved him not;  
But to those men that sought him sweet as summer."

He was direct and honest, ardent and fearless, prompt to form his opinions, always bold in their avowal, and sometimes impetuous or even rash in their vindication. In the performance of his duties he feared no responsibility. He scorned all evasion of untruth. No pale thoughts ever troubled his decisive mind.

"Be just and fear not" was the sentiment of his heart and the principle of his action. It regulated his conduct in private and public life; all the ends he aimed at were his country's, his God's, and truth's.

Such was Henry Clay, and such were his talents, qualities, and objects. Nothing but success and honor could attend such a character. We have adverted briefly to some portions of his public life. For nearly half a century he was an informing spirit, brilliant and heroic figure in our political sphere, marshaling our country in the way she ought to go. The "bright track of his fiery car" may be traced through the whole space over which in his day his country and its government have passed in the way to greatness and renown. It will still point the way to further greatness and renown.



The great objects of his public life were to preserve and strengthen the Union, to maintain the Constitution and laws of the United States, to cherish industry, to protect labor, and to facilitate, by all proper national improvements, the communication between all the parts of our widely-extended country. This was his American system of policy. With inflexible patriotism he pursued and advocated it to his end. He was every inch an American. His heart and all that there was of him were devoted to his country, to its liberty, and its free institutions. He inherited the spirit of the Revolution in the midst of which he was born; and the love of liberty and the pride of freedom were in him principles of action.

A remarkable trait in the character of Mr. Clay was his inflexibility in defending the public interest against all schemes for its detriment. His exertions were, indeed, so steadily employed and so often successful in protecting the public against the injurious designs of visionary politicians or party demagogues, that he may be almost said to have been, during forty years, the guardian angel of the country. He never would compromise the public interest for anybody, or for any personal advantage to himself.

He was the advocate of liberty throughout the world, and his voice of cheering was raised in behalf of every people who struggled for freedom. Greece, awakened from a long sleep of servitude, heard his voice, and was reminded of her own Demosthenes. South America, too, in her struggle for independence, heard his brave words of encouragement, and her fainting heart was animated and her arm made strong.

Henry Clay is the fair representative of the age in which he lived,—an age which forms the greatest and brightest era in the history of man,—an age teeming with new discoveries and developments, extending in all directions the limits of human knowledge, exploring the agencies and elements of the physical world and turning and subjugating them to the uses of man, unfolding and establishing practically the great principles of *popular rights* and free governments, and which, nothing doubting, nothing fearing, still advances in majesty, aspiring to, and demanding further improvement and further amelioration of the condition of mankind.

With the chivalrous and benignant spirit of this great era Henry Clay was thoroughly imbued. He was, indeed, moulded by it and made in its own image. That spirit, be it remembered, was not one of licentiousness, or turbulence, or blind innovation. It was a wise spirit, good and honest as it was resolute and brave; and truth and justice were its companions and guides.

These noble qualities of truth and justice were conspicuous in the whole public life of Henry Clay. On that solid foundation he stood erect and fearless; and when the storms of state beat around and threatened to overwhelm him, his exclamation was still heard, "truth is mighty and public justice certain." What a magnificent and heroic figure does Henry Clay here present to the world! We can but stand before and look upon it in silent reverence. His appeal was not in vain; the passions of party subsided; truth and justice resumed their sway, and his generous countrymen repaid him for all the wrong they had done him with gratitude, affection, and admiration in his life and tears for his death.

It has been objected to Henry Clay that he was ambitious. So he was. But in him ambition was virtue. It sought only the proper, fair objects of honorable ambition, and it sought these by honorable means only,—by so serving the country as to deserve its favors and its honors. If he sought office, it was for the purpose of enabling him by the power it would give, to serve his country more effectually and pre-eminently; and, if he expected and desired thereby to advance his own fame, who will say that was a fault? Who will say that it was a fault to seek and desire office for any of the personal gratifications it may afford, so long as those gratifications are made subordinate to the public good?

That Henry Clay's object in desiring office was to serve his country, and that he would have made all other considerations subservient, I have no doubt. I knew him well; I had full opportunity of observing him in his most unguarded moments and conversations, and I can say that I have never known a more unselfish, a more faithful or intrepid representative of the *people*, of the people's rights, and the people's interests, than Henry Clay.

It was most fortunate for Kentucky to have such a representative, and most fortunate for him to have such a constituent as Kentucky,—fortunate for him to have been thrown, in the early and susceptible period of his life, into the primitive society of her bold and free people. As one of her children, I am pleased to think that from that source he derived some of that magnanimity and energy which his after-life so signally displayed. I am pleased to think, that, mingling with all his great qualities, there was a sort of *Kentuckyism* (I shall not undertake to define it) which, though it may not have polished or refined, gave to them additional point and power, and free scope of action.

Mr. Clay was a man of profound judgment and strong will. He never doubted or faltered; all his qualities were positive and peremptory, and to his convictions of public duty he sacrificed every personal consideration.

With but little knowledge of the rules of logic, or of rhetoric, he was a great debater and orator. There was no art in his eloquence,—no studied contrivances of language. It was the natural outpouring of a great and ardent intellect. In his speeches there were none of the trifles of mere fancy and imagination; all was to the subject in hand, and to the purpose; and they may be regarded as great actions of the mind, rather than fine displays of words. I doubt whether the eloquence of Demosthenes or Cicero ever exercised a greater influence over the minds or passions of the people of Athens and of Rome, than did Mr. Clay's over the minds and passions of the people of the United States.

You all knew Mr. Clay; your knowledge and recollection of him will present him more vividly to your minds than any picture I can draw of him. This I will add: He was, in the highest, truest sense of the term, a great man, and we ne'er shall look upon his like again. He has gone to join the mighty dead in another and better world. How little is there of such a man that can die? His fame, the memory of his benefactions, the lessons of his wisdom, all remain with us; over these death has no power.

How few of the great of this world have been so fortunate as he? How few of them have lived to see their labors so rewarded? He lived to see the country that he loved and served advanced to great prosperity and renown, and still advancing. He lived till every prejudice which, at any period of his life had existed against him, was removed; and until he had become the object of the reverence, love, and gratitude of his whole country. His work seemed then to be completed, and fate could not have selected a happier moment to remove him from the troubles and vicissitudes of this life.

Glorious as his life was, there was nothing that became him like the leaving of it. I saw him frequently during the slow and lingering disease which terminated his life. He was conscious of his approaching end, and prepared to meet it with all the resignation and fortitude of a Christian hero. He was all patience, meekness, and gentleness; these shone round him like a mild, celestial light, breaking upon him from another world,

“And, to add greater honors to his age  
Than man could give, he died fearing God.”

(J. J. Crittenden to his daughter Mrs. A. M. Coleman.)

WASHINGTON, January 24, 1853.

MY DEAR DAUGHTER,—I received, a few days ago, your letter from New York, and was pleased to hear of your safe arrival at that place. We are all awaiting with some anxiety to see you

here, and I hope your stay in New York will not be prolonged beyond the period you have fixed,—this day week. That would not allow you more than time to get here and rest for Mrs. Burnley's great party, at which she wishes Florence and yourself to be present, and which she has postponed for that purpose to the 3d. This will be a much more agreeable place for you, at this time, than New York, excepting only the society of Mrs. Starling, and I presume, from your *well-known gifts*, that *you* and *she* in less than a week might, in sailor phrase, "have spun all your yarns," long as they may be. As soon as that work is done, I think you had better come at once to Washington. I send a check for a hundred dollars as a present for Florry, and as an acceptable addition, I hope, to her outfit for her present mission. Burnleys are well and impatiently expecting you.

Your father,

Mrs. ANN MARY COLEMAN.

J. J. CRITTENDEN.

(Hon. Edward Everett to J. J. Crittenden.)

DEPARTMENT OF STATE, February 26, 1853

MY DEAR COLLEAGUE,—I informed General Pierce that you propose to tender your resignation on the 4th of March, but that if he desires it, you are willing to continue to act till your successor is appointed. He stated in reply that he would be gratified to have you pursue this course.

Having been requested to prepare a form of resignation to be used by all the members of President Fillmore's cabinet, I transmit you the inclosed. If it meets your approbation, please sign and return it to me. I will see that it is placed in General Pierce's hands at the proper time.

I remain with much regard, sincerely yours,

EDWARD EVERETT.

Hon. J. J. CRITTENDEN.

(Franklin Pierce to J. J. Crittenden.)

EXECUTIVE MANSION, March 4, 1853.

SIR,—I have the honor to acknowledge the reception of your letter of this date, tendering to me the resignation of your office as Attorney-General, and expressing your readiness to continue in the discharge of your official duties until a successor shall have been appointed.

I highly appreciate the considerations of courtesy and of public duty which induced this act, and with great satisfaction avail myself of your proffered service.

I am very respectfully, your obedient servant,

FRANKLIN PIERCE.

Hon. J. J. CRITTENDEN,  
Attorney-General.

(J. J. Crittenden to his wife Elizabeth.)

INDIANAPOLIS, November 29, 1853.

MY DEAR WIFE,—I wrote to you last night, and without remembering exactly the contents, I fear it was too much of a *love letter*. I must avoid such transgressions as far as possible. Indeed, I am not now in the melting mood, but rather out of humor. The case in court, which delays mine, and was expected to be concluded to-day, has been conducted so tediously that it is still under trial, and will consume to-morrow. In addition to this I learn to-night that the adversary lawyers will continue my case when it is called, and so I may have to return without doing anything. My spirit is vexed with all this, though, as you know, I am a very pleasant and amiable man. Am I not? I must wait till to-morrow to see if my cause is continued. If it is, I will be with you the next day, if not, I shall be detained till Saturday. In the mean time enjoy yourself and be happy,—happy as a gay young widow *can be*. I am well, but feel solitary without you. Believe me that I love you with all my heart.

J. J. CRITTENDEN.

Mrs. ELIZABETH CRITTENDEN.

(J. J. Crittenden to his wife Elizabeth.)

INDIANAPOLIS, December 2, 1853.

MY DEAR WIFE,—This evening I am without a letter from you. Something has prevented your writing. I mean no chiding about it, but only that I have lost that greatest pleasure which is now my daily *anticipation*,—a letter from you. I have been all day, from half-past eight o'clock till dark, engaged in my case, and we are not yet through with the evidence on the part of the plaintiff. Be patient; the delay will only add to the pleasure of our meeting. I will be back as soon as possible, and, I hope, with a good fee. In the mean time be cheerful and happy. God bless and preserve my own dear wife.

Your husband,

Mrs. ELIZABETH CRITTENDEN.

J. J. CRITTENDEN.

## CHAPTER IV.

1853-1854.

Letters—Moses Grinnell—Archibald Dixon—Reply of Mr. Crittenden—Crittenden to Presley Ewing—Tom Corwin—R. J. Ward—General Scott—Crittenden to his Wife.

(Moses Grinnell to J. J. Crittenden.)

NEW YORK, February 22, 1854.

MY DEAR SIR,—I was delighted this morning on taking up the *Enquirer* to see that you have taken a bold stand on the right side in reference to the Nebraska bill. You know that I am no abolitionist; but I do think this scheme of Douglas the most *villainous one* ever presented to Congress. In my opinion any man who votes for the bill will be politically used up at the North. I rejoice (and I have heard the same sentiment from many others to-day) that you adhere to the same principles so long sustained by Clay and Webster. The great American public will sustain you in the support of principles so sound and just. Excuse the liberty I have taken in saying this. It is just what I feel, and I am like ninety in a hundred on this subject in this community.

Yours truly,

Hon. J. J. CRITTENDEN.

M. H. GRINNELL.

(Hon. Archibald Dixon to J. J. Crittenden.)

WASHINGTON, February 7, 1854.

DEAR SIR,—The bill to organize the Territories of Nebraska and Kansas, with a provision to repeal the Missouri Compromise act, will pass the Senate by a very large majority. Every Whig senator, I believe, from the slaveholding States will vote for it, and from all I can learn it will receive the unanimous vote of all the Whigs from the slave States in the other branch of Congress, and will doubtless become a law. There is a feeling here among the Whigs to run you for the Presidency. In this desire I fully participate, and write this to beg you, in the speech you make on the 16th, not to commit yourself particularly on this question. I do not wish you to embarrass yourself either North or South.

Believe me your friend,

ARCHIBALD DIXON.

(J. J. Crittenden to Archibald Dixon.)

FRANKFORT, March 7, 1854.

MY DEAR SIR,—I am much obliged by your letter of 7th of February, and thank you for the information and kind suggestions it contains. I fully appreciate the frank and friendly spirit in which it was written.

You tell me there is a feeling among the Whigs at Washington "to run me for the Presidency, and that you fully participate in that feeling." I am grateful and proud to be held in such estimation by my friends; but I beg you to be assured that I entertain no expectation and no aspiration to become a candidate for the Presidency. No ambition for that high office troubles me. In the speech which I made on the 16th of last month I did not allude to the Nebraska bill. The festive occasion—a public dinner—on which it was made did not require me to speak on that subject. Besides, I had no inclination to make any public parade of my opinions, as though they were of consequence. On the other hand, I had no motive or wish to conceal them. I have not, therefore, hesitated here, in private circles, when it happened to become the subject of conversation, to express my views without reserve. I stated these views to the Hon. Presley Ewing, now at Washington, in a telegraphic reply to an inquiry which he had addressed to me from that place a few days ago. I will now, with the same readiness and frankness, state them briefly to you, without prolonging this letter by explanations and arguments.

Considering the question as an open one, it seems to me clear that Congress ought to leave it to the people of the Territories, preparing to enter the Union as States, to form their constitutions in respect to slavery as they may please, and ought to admit them into the Union whether they have admitted or excluded slavery; but that question, it seems to me, can scarcely be considered as an open one.

The country has long rested in the belief that it is settled by the Missouri Compromise, so far as it respects all the territory embraced by it, and of which Nebraska and Kansas are parts. I hope, however, that the North may consent to yield that compromise, and concur in substituting the principle of the Nebraska bill for the rule fixed by the Missouri Compromise. But without such a concurrence of Northern representatives as would fairly manifest the assent of the North to such substitution, I do not think the South ought to disregard or urge the repeal of that compromise to which she was a party.

The Missouri Compromise has long been considered as a sort of landmark in our political progress. It does not appear to me that it has ever been superseded or abrogated; and I think

it is to be apprehended that its repeal, without sincere concurrence of the North, will be productive of serious agitations and disturbances.

That concurrence will relieve the subject from difficulty, as the parties to compromise have an undoubted right to set it aside at their pleasure. By such a course it seems to me the North would lose nothing, and would but afford another evidence of her wisdom and her patriotism. This, however, is a subject for her own consideration.

The great interest of the country requires that we should avoid, as far as possible, all agitation of the slavery question.

To use the language of Mr. Jefferson, "it sounds like a fire-bell at midnight." I am now, as I always have been, disposed to abide and stand by any past or future compromise or settlement of that question, provided it be only tolerably just and equal, not dishonorable, rather than to hazard the mischiefs of continued and corroding agitation. For these reasons I was content with the present compromises and regretted their disturbance. For the same reason I would maintain, for the sake of quiet, any different compromise or settlement that may be now or hereafter made, if not dishonorable or grossly unfair. This course, it seems to me, is demanded no less by the interest of the slaveholding States than for the tranquillity of the Union and its safety.

I have thus, sir, endeavored to give you an imperfect sketch of my views on the subject of the Nebraska bill. It will enable you to discover by comparison how far I differ in opinion with you and our other friends in Washington. Whatever these differences may be, they shall on my part be only differences of opinion. They will never disturb my general relations, personal or political, to you or to them. I will only add, sir, that if the Nebraska bill, with its repeal of the "*Missouri Compromise*," shall pass, my hope and wish is that it may prove by its consequences the correctness of your views, and its results may be as beneficial to the country as your purposes and intentions, I am sure, have been upright and patriotic.

I am your friend,

Hon. ARCHIBALD DIXON.

J. J. CRITTENDEN.

(J. J. Crittenden to Presley Ewing.)

FRANKFORT, March 6, 1854.

In reply to telegraph, I am clear that Congress ought to leave it to the States preparing for admission into the Union to form their constitutions in respect to slavery *as they please*.

Hope the North may concur in substituting this principle for the rule *fixed* by the *Missouri Compromise*. But without such



numerical concurrence of Northern representatives as would fairly indicate the assent of the North to such substitution, I don't think the South ought to disregard that compromise, to which it was a party.

J. J. CRITTENDEN.

Hon. PRESLEY EWING, Washington City.

(Hon. Tom Corwin to J. J. Crittenden.)

LEBANON, March 10, 1854.

DEAR SIR,—I received a letter a few days since from Mr. Hodge, of Washington City, in which he requested me to address you on the subject of politics. I thought this *absurd*, but nevertheless I am about to comply. I know nothing about politics as they now exist. I do not even understand the present position of those with whom I had for twenty years been intimately associated in public life. Do you? Do you really know your own *status* in regard to some *dogmas* recently put forward as *tests* of political orthodoxy? Indeed, *this last* is all I am requested by Mr. Hodge to ascertain. *He, Hodge*, insists (and says that he has so written to you) that the next *President* must of necessity be some *Southern man* who opposes the expressed or implied repeal of the Missouri Compromise. *You* have been gazetted as opposed to Douglas's Nebraska bill. I have no right to suppose this to be upon your authority, *but* had rather inferred from my knowledge of your general opinions on such subjects that you would choose to consider the compromise of 1850 as *final* and as not having affected in any way the act admitting Missouri into the Union. I have not examined the subject, and therefore do not pretend to any opinion which ought to regulate my own judgment, and I do not intend to examine it or think *ten* minutes about it. I only wish to say that I should think, if the people of the North do really care about this matter, that any man in your position who might agree with them would be very likely to be their choice for the office of President. You will not infer, my dear sir, from what I have here written that I intend to insult your judgment or sensibilities by the supposition *that you desire* to be a *candidate* for that once dignified and really important station. I could not advise any friend whom I love and respect to take such a position, even if he were certain he would succeed without the usual struggle, committals, etc. But other and *better* men differ with me on this subject, and you know that *many—very many*—desire you to allow yourself to be made *President* of this *model republic*. I should rejoice to see it. For this reason alone I have complied with the request of Hodge to

question you on this most vexatious subject. I do not wish your opinion on the Nebraska business to be made known to me; but I suppose Hodge wants you, *in some way*, to proclaim your opposition to it, with a view to make it subserve the purpose of your election in '56. I cannot advise you on this point, for I have no well-considered opinions concerning it myself. Of one thing only I am certain,—*that is*, whether you are *pro* or *con*, candidate or *not*, I shall always *honor myself* by claiming to be one among those who are your sincere friends.

TOM CORWIN.

Hon. J. J. CRITTENDEN.

(R. J. Ward to J. J. Crittenden.)

LOUISVILLE, March 18, 1854.

MY DEAR SIR,—I write to thank you most gratefully for your kind letter to Matt. It had been sent to him at Elizabethtown before I reached home, but I learn its contents from Mrs. Ward, and she begs me to say that no words can express the feeling with which she read it. In behalf of my son I accept your generous offer, and I shall expect you to be in Hardin on the third Monday in April, the 16th day of the month. In the mean time my son will send you an *abstract* of the testimony, that you may be prepared for one of your greatest efforts. You were the first person I thought of to defend my son. For reasons perhaps already explained to you, I postponed the application till my return from New Orleans. *I am glad I did so*, because it has given another proof of that noble, warm, and abiding friendship which has distinguished you through life.

I can never forget your kindness, nor will any member of my family.

Faithfully yours,

R. J. WARD.

Hon. J. J. CRITTENDEN.

(General Scott to J. J. Crittenden.)

NEW YORK, March 21, 1854.

DEAR CRITTENDEN,—In a long life, not without some pleasing incidents, I have very rarely been so much gratified as at the receipt of your letter, inclosing the resolution of the Kentucky legislature (adopted unanimously) recommending the passage by Congress of the pending bill for giving me the rank of *lieutenant-general*. The source of this compliment, and the channel of communication under it, render it very dear to me. Indeed, it is probable that the resolution may, as was intended, prove to be more than an empty compliment, by stimulating the branch of Congress that has yet to act, before I can receive

the additional rank, pay, and emoluments. Not a Kentuckian (and not a Whig) in the present Congress has voted against me; but, *on the test-question to lay the bill on the table*, Gray, Boyd, Chrisman, and Elliot were silent or absent. Dining with a large party the day that I received your letter, I chanced to mention to a leading Whig the Kentucky compliment, when it instantly occurred to him that the legislature of New York might follow that noble lead. He asked me for the resolution, and some notes, and I have no doubt that my friend (your political friend), Benjamin D. Silliman, followed up his good intentions. The legislature of New York has bestowed upon me two signal compliments, with exactly an interval of a third of a century between them. My *bill* is held back, that it may not be swamped in the whirlpool of passion created by the Nebraska question. God grant that the revival of the slavery question may not dissolve the Union. The excitement caused by the *compromise measures* had nearly died out, and I was in favor of *letting well enough alone*. When you return to the Senate I shall begin to regret having left Washington. Oh, for the old times of Letcher, Crittenden, Preston, Barrow, etc.! I saw Preston in October; he talked much about you. Kind regards to friends. Wishing you all happiness,

Your friend,

WINFIELD SCOTT.

(General Scott to J. J. Crittenden.)

NEW YORK, April 3, 1854.

DEAR CRITTENDEN,—Herewith I inclose you a copy of General Smith's letter that you supposed would soon reach me. I have sent the original to Washington, with my indorsement, notwithstanding the refusal of the Secretary of War in the case of Major Crittenden, which came to hand since I last wrote to you. Whether the secretary will yield to the second application I think very doubtful. Lieutenant Bonaparte now applies for the first time, and as the French minister will privately support his request, it may give success to both applications. The Nebraska bill stops all business in the House, and the Maine liquor law (with the governor's veto) operates the same way at Albany upon the Kentucky resolutions introduced there. *All signs fail in a drought*, and I am in a perpetual drought, by being thrown (to borrow a metaphor from Bunyan) into that "slough of despond," *the committee of the whole House* on the state of the Union. With Mrs. Crittenden within-doors, and Letcher next-door neighbor, I suppose you to be beyond the reach of cares and vexations. Happy man! and may you long continue so. Just received a letter from Coombs, spoiling to

get his money, and disgusted with Washington. Your immediate representative (Breckinridge) and mine (Cutting) have agreed to let each other die in the regular course of nature. I heartily rejoice. B. always votes for my bill, and Cutting will, at the next trial, change to the same side. I am called to dinner; never have a good one without thinking of you.

Always, as heretofore, yours,

Hon. J. J. CRITTENDEN.

WINFIELD SCOTT.

(J. J. Crittenden to his wife Elizabeth.)

ELIZABETHTOWN, April 17, 1854.

MY DEAR WIFE,—I have been separated from you for four days, and have not written till now. I have been constantly engaged about my case,\* in intercourse with my clients, in consultations with lawyers, examinations of books, etc. To-morrow morning the trial begins; it will be tedious. I care nothing about the labor and fatigue, but much about being kept *away from you*. The prosecution is carried on with the greatest activity, and, as I am told, *bitterness*. It is said that there is much excitement and prejudice in the country against Ward. He has, however, many warm friends here. I have several times visited the jail, and it is, indeed, a moving sight to see the interesting and mourning group assembled there of father, mother, wife; and they all seemed ready to embrace me on my arrival, and grew cheerful, as though my presence were an assurance of security and relief to them. They rely on me much more than I could *wish* or than *they ought*. I can scarcely hope to be able to fulfill their expectations; *but I will try*. All my friends here seem to be highly gratified at meeting me; indeed, I could not have asked a more agreeable or flattering reception. I will write to you daily hereafter. I am at my friend Thomas's, with Carneal and Mr. Thomas Marshall. Mr. Burnley is expected here with Thomas. We are delightfully situated. Give my love to all, to Mary, and her children, and tell Anna she must not forget me. Though we are separated, you are ever present in my thoughts. Take care of yourself; be cheerful and happy, and be assured of the constant love and affection of

Your husband,

Mrs. E. CRITTENDEN.

J. J. CRITTENDEN.

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\* Trial of Matt. Ward.

(J. J. Crittenden to his wife Elizabeth.)

ELIZABETHTOWN, April 19, 1854.

MY DEAREST WIFE,—My time is constantly occupied. We go to court at eight o'clock in the morning and adjourn at night. Then comes company and consolation. I am now stealing a moment from the court. This labor seems to agree with me. I was never better in health or spirits.

Burnley and Thomas have not yet reached here.

I have received your two letters. They were delightful little visitants, and I cherish them as fresh from your *hand* and *heart*. My love to all. I have not another moment.

Farewell, my dear, dear wife.

Mrs. E. CRITTENDEN.

J. J. CRITTENDEN.

(J. J. Crittenden to his wife Elizabeth.)

ELIZABETHTOWN, April 26, 1854.

MY DEAR WIFE,—I received your letter of the 23d inst. to-day. Thronged as my heart was with other matters, it drove them all away for the moment, and took supreme and sole command there, as it had a right to do.

I am to speak to-morrow, and to-morrow the case will go to the jury. I feel quite certain the verdict cannot be against Mr. Ward, and I believe it will be in his favor. As soon as it is rendered I will start home. I think it best to go there before we leave for St. Louis; but if you prefer to accompany Mary to Louisville, do so, and we can then determine what further to do.

My dearest wife, I have not another moment to write. Farewell.

Your husband,

Mrs. ELIZABETH CRITTENDEN.

J. J. CRITTENDEN.

## CHAPTER V.

1854-1855.

Ward Trial, Speech of Mr. Crittenden—Letter from the Bar of the Court of Appeals of Kentucky, and Mr. Crittenden's Reply—Crittenden to L. Hunton—R. C. Winthrop to J. J. Crittenden—J. J. Crittenden to R. J. Ward.

### THE WARD TRIAL.

#### SPEECH OF MR. CRITTENDEN

GENTLEMEN OF THE JURY,—I agree with the counsel who have spoken on behalf of the prosecution as to the importance of this case. Its magnitude can scarcely be overrated. The State has an interest in it. It is not a desire for vengeance; the State seeks no vengeance against its own citizens. But its interest is a paternal one, like that of a father in the midst of his family. Its interest is that its laws may be administered, and that its citizens shall receive from that administration a just and merciful protection.

The defendant has an interest in it. He has everything at stake—his life, his liberty, his character, and the feelings and sympathies of those who by ties of friendship or of nature are associated and allied with him. All these are at stake; and you are the men who have been selected to arbitrate and decide this mighty issue.

Gentlemen, we have all cause to rejoice that we live under a government which guarantees to every man the right of trial by jury. Without it, no freeman can be touched in life or liberty. For ages this right has been the inheritance of our race. Our progenitors established it in the Old World; and our fathers have struggled for it as a thing indispensable to the security of their lives and their liberties.

You may wonder why it is they have been thus solicitous to preserve this right of trial by jury. You may inquire why they have not rather left it to the courts to try men who are charged with crime. The judges on the bench are usually able and honest men—men of superior wisdom to those who ordinarily compose a jury; men with greater knowledge of law, and men of undoubted integrity.

It is not so much from any distrust of the judges, or fears

that they might be swayed improperly, that this right has been preserved; but from a deeper and wiser motive. It is not because the people are equally learned with them, but because they are less learned. It is because the law desires no man to be molested in his life or liberty until the popular sanction has been given to his sentence, and his cause pronounced upon by a jury of his peers. The court is expected to render all necessary assistance in stating the law; but his cause, in passing through the minds and hearts of his equals who are trying it, will be divested of all nice technicalities and subtle analogies, and decided on its simple merits, and according to the dictates of reason.

The life of a man should be taken on no other judgment. You may lay down the law like a problem in Euclid; you may take one fact here and another there; connect this principle and that proposition, and then from one to the other reason plausibly and even logically that a man should receive sentence of death. But it was to avoid all this that this glorious right has been kept inviolate. It was to bring the accused face to face with his accusers, and to suffer only a jury of his equals, with their warm hearts and honest minds, to pronounce upon a cause involving his life or his liberty. This, gentlemen, as I understand it, is the object of jury trials. Were cases left to the judgment of the courts, a man's destiny might depend on some subtle and difficult question of law; but now it is different. When you consider a case, it is divested of all such questions, and appeals to you as able to judge of the facts—as familiar with the passions and motives of men—as those who will rest it on its simple merits alone, and will only condemn for reasons that are sure, and solid, and satisfactory to your own understandings.

You are a jury of Kentuckians; and I have too much respect for you, too much respect for myself, in this important case, to deal with you by means of entreaty or flattery. But I may say that I have confidence in you, and that I look forward with sanguine hopes to the verdict you are to render. I expect you to do your duty manfully and firmly; and I expect you to do it, notwithstanding all that has been said to the contrary, mercifully. I expect you to do it on principles compatible with public security, and it is my duty to show you that you may acquit the prisoner at the bar on such principles.

The accused is before you in a house of Kentucky justice, and all vengeance must cease to pursue him at this threshold. This is his sanctuary—here the sway of the law is potent. Here the voice of justice—justice tempered with mercy—is heard—that voice which falls in sounds of terror on the guilty

heart, but whispers, in songs of seraphs, peace and joy to the innocent.

The case, gentlemen, is one that demands all your attention. Thus far it has engrossed it; for I never have had the honor of addressing a jury in any case who have given, during its whole progress, evidence of more patient and unwearied attention. I am consoled by the belief that you know the evidence as well or better than I do, and I only ask that you will weigh it carefully in all its bearings and influence, making the proper discriminations, earnestly striving to ascertain the real motive of this accused, and then render that verdict which is demanded by your oaths and the laws of your land.

I will first proceed to an examination of the evidence, and will then endeavor to bring to your attention the law I believe applicable to it. And I hope to satisfy you that the law when applied to the facts entitles the defendant to a verdict of acquittal,—a verdict which, under all the circumstances of the case, would cause Mercy herself to rejoice.

What, then, is the case briefly stated? William Ward, a boy of fifteen years and a scholar in the Louisville High School, returns home during the absence of his parents and informs his elder brother that he has been unjustly and severely whipped by Mr. Butler, the principal. "And though I could have borne that, brother," he says, "I could not well bear to be called a liar before the whole school—my companions and my equals. I wish you would go and see Mr. Butler about it." It is four o'clock in the evening when he gives his brother information of the chastisement he deemed so cruel and unjust, accompanied by such an appeal. That brother—the prisoner at the bar—determined to go around at once and ask an explanation; but supposing the school to be dismissed and the teacher not present at that hour, he concludes to wait until the following morning. Then the parents have reached home; but, as the occurrence took place during their absence, he obtains the consent of the father to go round and ascertain the reason of it. He goes, and in a conflict in which he becomes involved, the death of Mr. Butler ensues. This is a general view of the case; but it is necessary for us to examine it more particularly.

The purpose for which he went to the school-house was undoubtedly a lawful one. If a child is whipped, particularly when the chastisement is so severe as to leave marks upon the limbs, I ask if it is not only lawful but in fact a paternal duty to go and inquire the cause and learn why such punishment was administered? Certainly it is. And it is equally lawful and proper for the brother to go, especially when, as in this case, he has the consent and sanction of the father. The ac-



cused then stood in the place of the father, and had the paternal right to go on the errand that took him to the school-house. This point I consider settled.

Why, then, are we to infer a malicious and wicked motive on his part for doing that which is clearly lawful and justifiable and proper? The correct presumption would certainly be that the motive was as good and lawful as the act itself. It is contended that he went with malice; but you have heard the testimony on this point—you have heard that of Mrs. Robert J. Ward—given in a tone and manner that must have carried conviction to your hearts; and you know what inducements and reasons there were for the defendant to seek an interview with Prof. Butler. You have heard that the parents had just returned from Cincinnati, when the watchful eye of the mother observed Willie at home, and she asked why he was not at school. The little fellow, still mortified at the memory of his own shame, burst into tears and replied, "Brother Matt. will tell you." And that brother did tell her, adding, "I designed to have gone around to seek an explanation last night, but the hour was so late that the school was not in session; so I postponed it until this morning." When the father proposed that *he* should go, the accused replied, "This occurred while you were away, and I was here, and I think, father, you ought to let me go." And in fact, during the absence of the father, the accused was the head of the family.

It was decided that he should go; and then Mrs. Ward indulged in one of those maternal anxieties and apprehensions that so often rise in the heart of the mother. He endeavored to quiet them, but when he was at the door she suggested that Robert should go with him. He had made no request of the kind; he was not desirous of the company or assistance of his brother; but on the contrary, when it was urged upon him, replied, "I apprehend no difficulty; Mr. Butler is a gentleman; and as I only ask what justice demands, I am sure he will do all I desire." Gentlemen, I think this is no unimportant fact in tracing the motives of the prisoner. Even, at last, when he submitted to the proposition that his brother should go it was with impatience. He was reminded that Sturgus was his enemy, yet he went, knowing the justice of his intentions, and fearing neither Sturgus nor any one else, only acceding to the request of his mother to quiet her own apprehensions.

This, I think, is a fair statement of the case. I desire to learn why and wherefore he went to the school-house, and what were the motives that actuated him. And I think every circumstance speaks out that there was no wickedness in his heart; that he not only went to do what was proper and lawful, but to perform a duty that devolved upon him. Did Mr. Robert Ward appre-

hend difficulty? Certainly not; he knew Butler—knew the object and feelings of the accused; he swears to you that if he had even conjectured difficulty might ensue he would have gone himself. And that mother—can you believe that when she parted with him at the door she thought she was sending her son on an errand of blood, a mission of revenge? The idea is too horrible to contemplate. Neither the father nor mother expected the least difficulty with Butler, though the prudent apprehensions of the latter suggested that there might possibly be some interference on the part of Sturgus. But Ward and Butler were friends—they had mutual respect for each other.

Well, they left the house—Willie going along to get his books, and Robert, at the instance of his mother. What was the conversation on the way? It may tend to throw some light on the question at issue. The testimony of Robert Ward, gentlemen, may require hereafter more attention than I can give it at this point. But for the present, it is sufficient to state that he did not know that his brother was armed, and that he had not the least expectation of difficulty. On the way Matt. tells him,—it was not all detailed here, but this was evidently the burden of the conversation,—“I am going to seek explanation and apology for an injury done to brother Willie. I did not want you with me; you are young and hasty; you do not know the circumstances of the case, and you might act indiscreetly. I apprehend no difficulty—Butler is a gentleman and will do what is right; and I desire you not to have a word to say.” It was as much as to say, “I would you were at home, Robert, but now you are here, do not interfere by word or deed.” But little Willie, who has heard this objection, says: “Ah, brother, but Mr. Sturgus is there!”—not Butler, but Sturgus,—“and you know he has a big stick!” Matt. replies: “Why, I shall have nothing to do with Sturgus,—my application is to Butler.” Then he turns to Robert, and adds: “If, however, Sturgus and Butler both attack me, you may interfere.” He conjectured the possibility of this only to soothe the feelings of the little boy. He had already made Robert passive; but listening to the suggestion, must excite his anxious and brotherly apprehension; therefore he said: “If such a thing does occur—which I do not expect—you *may* keep off Sturgus.”

Does this look like an intention to commit murder? On the contrary, do not all these circumstances go to exclude the idea of any hostile feeling, any malignant purpose, or any design to attack or do an unlawful act on the part of the accused? Further, to prove that there is no possibility of malice, we have shown you how he had been making preparations for several days, and even on that very morning, to depart for his plantation in Ar-

kansas. His mind was not bent on mischief, but engaged in a legitimate and proper channel. All the facts go to negative the presumption of malice or of any wicked purpose.

But he had been told, and he knew before, that Sturgus was his enemy. He knew that by some remote possibility the visit might lead to a collision and combat with him. He was very weak,—utterly unable to resist any attack that might be made upon him; and therefore it was right for him to arm himself. Is it to be inferred, because a man purchases a pistol, and puts it in his pocket, that he intends to commit murder, unless it is indicated by some subsequent act? You are often in town, perhaps, and if you purchase a rifle there, will that fact subject you to any suspicion? But in town the procuring of pistols is neither more remarkable nor more improper. It is true that when he buys pistols, a man *may* do it with an intention to commit murder; yet when he does an act which may be accounted for lawfully in a thousand ways, but by a possibility may be improper and unlawful, is it right for us to conclude that he must be actuated by the worst possible motives that can be conjectured? In such a case we would be accusing spirits indeed. What would be the condition of human society, what the relations of man to man, were this doctrine carried out?

A man may arm himself for a case of probable danger; he may do it with a view to no specific occurrence, and he may do it in self-defense. Who can object to it? The Constitution guarantees to every man the right to bear arms. No law takes it away, and none ever can. The right of self-defense is an inherent one, given by God, to man. It is our own natural right, and, as Blackstone says, no human legislation can ever take it from us. But how nugatory and vain you render this right, if, when in pursuance of the laws of his country, a man arms himself for any possible contingency and remote danger, you impute to him unlawful motives, and subject him to every sort of imputation of murderous intent!

This precaution on the part of my client indicated no intention of violence. It may have indicated a purpose to defend himself in case of attack, but nothing more. Will you cast aside the thousand other natural constructions, and adhere to that irrational and unsupported one which makes him criminal? That were alike unreasonable and inhuman. But take all the circumstances, and weigh them carefully, and you will see the motive as clearly as you see the act itself; and you will see no design to take life, or to violate the laws of the land.

Then, what was the remainder of the conversation on the way? They met a young lady in Bloomer costume, and talked of the peculiar nature and fashion of that dress. What a sub-

ject for the conversation of a man within a few steps of the point where he intends to commit a malicious and cold-blooded murder!

One of the gentlemen who addressed you for the prosecution announced, in the course of his argument, his disbelief that the accused purchased the pistols with the design to commit murder, or went to the school-house for that purpose. If he did not, he had no criminal intentions. But within half an hour after, the gentleman, becoming more deeply engaged, says, with violent gesticulations, "Ward purchased those pistols with the intent to murder Butler." Thus he assumes contrary positions, and as both of these declarations are made by the same author, I suppose I have a right to receive which I please. I will choose the one, then, that I believe takes the only reasonable and truthful ground,—that he had no such intent. But I will go no further on this point. I think it is fully established that the purpose for which my client visited the school-house was a proper and lawful one. So far, then, we find no offense; when he entered the door he was free from all malice and all criminality. Did anything occur there which made him a murderer? This is the next question for you to consider.

You have heard the testimony as to what transpired at the school-house. No one was there except Matt., Robert, and the pupils. Willie was in the room, but so engaged that he knew nothing of the interview. To prove the nature of that interview thirteen boys have been introduced here by the Commonwealth. Now, gentlemen, before I say a word as to the testimony of these pupils, I wish to have my position clearly understood. The counsel on the other side, with a triumphant air, have come forward and volunteered a defense of the truthfulness and veracity of these boys. But their services have been in advance of any occasion for them—they have only defended what is not attacked at all. Not one of the counsel for the defense has ever intended, or sought to impeach the character of these witnesses. It may be asked, then, what circumstances justify us in the ground we assume as to their testimony? It must be remembered they are but a set of boys, and that they are testifying in regard to a circumstance in which their teacher was killed. They must have been under the influence of excitement and fright. The time which the accused spent in the school-room was at most not more than five or ten minutes. When he entered, they were engaged in their studies, and it was contrary to an explicit regulation of the school to turn around and look up when strangers came in. And when, so unexpectedly, like a flame from the earth, this fearful occurrence broke out in the stillness of that school-room, what must have been the panic of

these boys! You can imagine as well as I. It would have startled men—the calmest and firmest in this jury-box, or this court-room. Benedict, I think, gives a very just idea of the condition of all of them. He says: “I was so much frightened that I couldn’t think of anything, or see anything hardly.” And whatever the gentlemen may contend, I believe this was the state of all the boys in the room. They may have seen Butler and Ward during the conversation in the early part of the interview; but this was all they saw clearly. One fact alone is sufficient to diminish the weight of their testimony. Not one of them heard all the conversation perfectly. Though one or two are confident that they did, they are contradicted by the others, who heard words and sentences which never reached their ears. No two of them give the same account of it; but, on the contrary, there is much inconsistency and contradiction. It is evident that no one of them saw all the acts, or heard all the conversation, that passed; and this, in addition to the general panic that agitated their minds and confused their recollections, renders it impossible for them to give a fair and perfect history of the occurrence.

“Ah,” say the gentlemen, “but the panic was all after the firing of the pistol. Before this, up to the very moment when it took place, they can remember distinctly all that occurred.” Is this rational? Is it according to the philosophy of the human mind? Was not the whole mind agitated and stirred, so that the things both immediately preceding and immediately succeeding were thrown into one mass of chaotic confusion? There is no other reasonable inference from the facts. Here, then, a parcel of school-boys are brought up under these circumstances, to testify in a case of life and death,—to testify in regard to a conversation partly heard and acts partly seen. It becomes important that you should know with just how much confidence and with just how much allowance to receive their testimony. Suppose an affray were to occur here now, in this crowded court-room, and the life of one of the parties to be suddenly taken. How many of the men who were present and witnessed it could give a correct and faithful account of the occurrence five minutes after it transpired? You know the character of the human mind, and you know that very few could do it. Transfer it in your minds, then, to the presence only of a parcel of frightened school-boys; and after months have passed, do you believe they are capable of giving a full history of the affair, detailing all the events in the precise order in which they occurred, and even descending to the minutiae of the position of the hands? The mind, and particularly the youthful mind, under such circumstances, is in a state of chaos, and the memory and

the imagination combine, until it is impossible to unravel the tangled web and come at the simple truth. I believe these boys to be intelligent, and honest, and high-minded, and incapable of any intentional misrepresentation. But I believe at the same time that they are incapable of narrating the simple, uncolored circumstances of the case, and of giving testimony on which the life of a man ought to depend.

Another thing: these boys, from eleven to eighteen years of age, since the occurrence of the principal fact we are investigating, have been the scholars, and under the tuition and training, of Mr. Sturgus. With all their natural sympathies on the side of their teacher,—with all these other circumstances tending to give their minds a bias,—they have been from that day to this under the authority and instruction of Sturgus, the enemy of Mr. Ward,—the pursuer of this prisoner. You, who understand the affairs of men, will see the impossibility of a fair and faithful narration of the event from them under such circumstances. You well understand how this man—they not knowing it—by a word properly thrown in, or a statement repeated until they were familiar with it and received it without question, may have exercised great influence and control over the feelings and recollection of these boys. He is their teacher and guardian,—they are under his charge,—and though he was sworn here as a witness for the Commonwealth, he was not introduced upon the stand. Put all these facts together,—and it is your business where the facts are not all known, but a few of potent character are established, to infer the others,—weigh them carefully in your own minds, and then judge for yourselves if the probabilities in regard to the character of the testimony of these boys are not all in favor of the assumption I have made.

Now let us examine the testimony. After the able manner in which it has already been reviewed and considered, it would consume too much of your time to enter into a minute repetition of its details; but I think that I may safely say that from beginning to end no two of these witnesses have perfectly agreed; that their statements contain numerous discrepancies and contradictions; that the account of no one of them is probable and satisfactory, and that they all show, from their disjointed nature, they only contain portions and fragments of the facts that occurred.

If there be any one thing in which there is more concurrence than on other points, it is in the statement that when the parties had exchanged salutations Ward immediately asked, "Which is the more to blame?" etc. Now, would not this be a most extraordinary manner for one gentleman to commence a conversation with another? But four or five of them agree on

this point, and, if you receive their testimony, you must conclude there was no other introduction of the subject, but that these were the first words uttered by the prisoner. Is it reasonable? Does not the very awkwardness of the question, asked in such a manner, indicate a chasm here,—something which did not reach their ears,—some preliminary, if not for the sake of ordinary courtesy, at least to give a comprehensible explanation of the business? And what says Robert Ward on this point? He tells you that Matt. first informed Butler he desired some conversation with him, and, after declining to enter the private room, giving as a reason that the event of which he wished to speak had occurred there, went on to inquire what were his ideas of justice, and *then* propounded the question mentioned, which in that connection came naturally enough. Thus, in the very commencement, Robert Ward gives you the only natural and satisfactory account of the conversation; and this fact alone is sufficient to show you the fragmentary character of the information possessed by the other boys. I know Robert stands here in a position which, by the law, exposes him to imputation; and it is your duty to weigh his testimony carefully, and not to receive it unless you perceive in it intrinsic indications of truth, or it is corroborated by other witnesses of whose veracity you can entertain no doubt. In this case we call the witnesses of our enemy to corroborate him, and contend that even by them he is so fully sustained as to be entitled to your belief.

One of the largest of these boys, and one who heard more of the conversation than any other witness who deposed for the Commonwealth, was Worthington. Yet he did not hear Ward make use of the term "liar" at all, and thus he corroborates the statements of Robert. Again, Robert tells you that the accused introduced the conversation in a natural and reasonable manner, by asking, "Mr. Butler, what are your ideas of justice?" Now, how is it that of these thirteen boys twelve leave this entirely out in their history of the conversation? How is it that, if their opportunities for hearing and seeing were as good, and their recollections as perfect as you are asked to believe, they all disclaim any knowledge of this language? But let us turn for a moment to the testimony of little Pirtle, who frankly confesses he did not hear all that was said, and who was one of the finest and most intelligent boys in the whole school. He tells you that the first words he heard from the accused were something about "ideas of justice" and chestnuts. You must observe that the connection of subjects is a very singular one—one that would not be likely to be suggested to the mind of a school-boy or any one else, unless he had distinctly heard it. The minuteness with which this trivial

point is recollected seems to give it more weight, and to indicate in no unimportant degree the truthfulness of the testimony given you by Robert Ward.

Crawford corroborates him by the fact that he did not hear the lie given. Benedict states that when interrogating Butler, Matt. asked, "Which is the worse, the *boy?*" etc., though all the other scholars state that he used the term "puppy." Now Robert tells you that when he asked the question the first time he did so in the words detailed by Benedict; but that when no answer was given, he repeated it in some irritation, and then changed the phraseology to "the contemptible little puppy." Though the particular may seem trivial, yet I think all these minute facts combined will enable you to form a correct opinion as to the general character of his testimony.

Quigley confirms him. He tells you that Ward was forced back by Butler, before the pistol was fired, against the wall and the door. Is not this a corroboration on a most important point? And he further says, in corroboration, that when Sturgus came out of his room Robert told him to stand back,—not that he told him to come on, as related by some of the other boys. The statement of Quigley as to the condition to which Butler had reduced Ward agrees exactly with that of Robert word for word.

Campbell, however, contradicts Quigley in regard to the language used by Robert to Sturgus; and there are other contradictions between the boys on various points. I might pursue the subject further, but I believe it is unnecessary. I think I have demonstrated that but little reliance can be placed on the testimony of these school-boys: because they do not agree; because of their numerous contradictions; because, however pure their minds may be, it comes to you through all these circumstances of diminished credit, combined with the fact that they have been so long under the care of Sturgus, the enemy of Ward; and by that enmity, as I verily believe, the cause of the unfortunate event which occurred.

Let us look at the testimony of Robert Ward; and, after what has been shown you, I think it is not asking or saying too much to claim that this is the only testimony which has brought order out of disorder,—given the only connected and reasonable account of the whole affair,—a consistent history of the events that transpired,—natural in their course, and leading directly to the results that actually occurred.

You have been told that, according to the testimony of this witness, the accused told Butler he desired a *private* conversation with him; but no such word was used, as your own recollection of his language will readily assure you. It was a public



investigation he desired, and when invited into the recitation-room, he declined, saying, "No, Mr. Butler, the occurrence of which I wish to speak transpired here, and this is the proper place to talk of it." Could there be anything more natural or more proper than this? There the boy was whipped; there he had been called a liar; and there were all his companions who had witnessed the whole transaction.

Butler might have said, "Here are the boys; they witnessed the occurrence, they know all the facts of it, and they shall be called up and the truth of the matter ascertained to your satisfaction." What was it they wished to ascertain? Merely whether Willie gave the chestnuts before or after the recitation order. If before, he had done no wrong and deserved no punishment; if after, he had violated the regulations of the school and was culpable. So upon that fact the whole question depended. What remained, then, for Butler to do but to call up the boys, investigate the matter thoroughly, and, if he had done wrong, make that atonement which was due the injured feelings of the little boy? Would not a father have done the same? If, in a moment of unreflecting haste and anger, he had whipped his son and called him a liar, and the boy had afterwards come to him, asserting that he had done him a wrong, and desiring him to examine the evidence carefully and satisfy himself that this was the case, would he not have done it? With an overflow of paternal feeling and love, would he not readily go into the investigation, and gladly learn that even though he had acted hastily and wrong, his opinion of his son was unjust and incorrect?

If the request had been preferred to a stranger even, he should have acceded to it as an act of simple justice. And in view of the paternal relations of the teacher,—in view, too, of the intimate and friendly relations of this teacher,—when the proper person came to ask it, there should have been no assumption of dignity, no buttoning of the coat and haughty refusal to be interrogated. Would it not have been more in accordance with reason and justice, more in accordance with the real character of the excellent Mr. Butler, even if the question was propounded in a manner not exactly agreeable to his feelings, to have replied, "I will gladly do as you desire, and if I prove to have been in the wrong, no man living shall be more prompt to make the necessary atonement?"

Suppose he did see a little irritation in the manner of Mr. Ward, and suppose the method of propounding the question was not exactly compatible with his taste and feelings, as a good man, as a just man, as a prudent man, ought he not to have said, "I see you are irritated, I know your feelings are

aroused, but let us fairly examine the case, and then, if we find I have been in error, I shall be proud to repair the wrong I have done"? Would that have misbecome Prof. Butler? Would it have impaired in any degree the proper and healthful discipline of the school? Not according to my conception of the matter.

But, unfortunately, he did not take this course. When his attention is first called to the matter, he buttons up his coat and replies, "I am not to be interrogated, sir." Ward insists upon it: "Mr. Butler, I ask a civil question, and I expect a civil answer. Which is the worse, the contemptible little puppy who begs chestnuts and then lies about it, or my brother William who gives them to him?" There may be some objection, perhaps, to the language used here; the phraseology of the first question was better, but an answer was refused to it, and repeating it in a stronger form does not increase the criminality of Mr. Ward. He is assured that no such boy is there. "Then that matter is settled; but why did you call my brother a liar? For that I must have an apology." As if to say, "I have a just right to an apology; under the circumstances it is my due." "I have no apology to make." "Is your mind made up on that point?" "It is,—I have no apology whatever to make." "Then you must hear my opinion of you,—you are a scoundrel and a coward."

And here let us pause for a moment to examine the relative position of the parties at this point. The accused had gone to the school-house, for an explanation which was his due; it was utterly refused him, and thus that question was closed. He had then sought an apology; but that was denied him in terms equally emphatic, and that matter also was settled by the reiterated assurance that no apology whatever would be made. Then he used the language he did; and there, as I apprehend, the demonstration closed on the part of Ward; that was all he intended. He felt that his brother had been abused, insulted, and outraged, and when all other redress was superciliously denied, he took the only satisfaction that was left him, by applying these terms to Butler. Do the circumstances indicate that he intended to follow it up further? I think not, in the natural course of events. He had retaliated; and there the matter must conclude,—there he would have left it to rest forever.

The next step was taken by Butler. They tell you he was an amiable gentleman, and there is no doubt of the fact; but they tell you also that he was a man of spirit. The facts show that he commenced the combat. Ward had reached a point where there was nothing more for him to do. But he was seized by Butler, whose hand grasped his collar or cravat—

crushed back against the wall—bent down towards the earth—struck twice in the face to the certain knowledge of the only witness who saw the whole transaction; and then, but not till then, he fired the pistol to free himself from his assailant. This account of the transaction is perfectly corroborated by Quigley as well as related by Robert Ward. Do you not believe it? Do you not see how it would occur in the reasonable and natural order of things? Even their own witnesses tell you that they *knew* Butler would not take such language,—that when they heard it applied to him they expected a difficulty.

This is the case proved by a portion of the testimony, and I think fully established by the better portion of it. I believe, then, we have clearly settled it, that the first assault was made by Butler,—that he promptly and fiercely pursued it until he had placed this defendant in a position where he had good reason to apprehend the most serious bodily harm,—in a position of extreme suffering and extreme danger.

Again: does any one doubt that this was a sudden and casual affray, unexpected by either of the parties five minutes before it occurred? After some conversation, in which, it is true, harsh language was used,—but it is a settled principle that no language whatever can justify an assault,—Ward was suddenly assaulted and attacked; and then, at a time when he was in great peril and suffering, he fired the shot,—fired it, as we contend, in self-defense. The only means of protection he used were the pistol; it is not in proof that he struck a single blow. You see his form,—and you can perceive there the most palpable indications of the truth of what you have been told by so many witnesses,—his extreme weakness and delicacy. Do you think it probable that one with such a form—in so feeble a condition—would engage hand to hand in conflict with a man of ordinary strength? And, according to the testimony of Mr. Joyes, you will remember that Mr. Butler was a man of unusual muscular power in the arms.

The only pretense of a blow from the prisoner is founded on the testimony of one of the boys who saw him bring his left hand down with a gesture, and thought he struck, because he then saw Butler move from him. I do not speak of this to impair the testimony of the boy, but merely to show you another indication of the existence of those circumstances and influences that render it impossible for these school-boys to give a faithful and perfect account of the transaction. Can you believe for a moment that a man in the physical condition of this prisoner, in his sober senses, would attempt to combat with any one? Even with his right hand it would be the most perfect folly for him to attempt to give a blow that would injure a child,—and

do you believe that with his left he could give one that would cause a man in his full strength and vigor to fall back? It is utterly impossible. And with this fanciful exception, not one of those thirteen boys saw a blow given on either side. That there were blows cannot be doubted. Butler himself stated it distinctly to every one with whom he conversed in regard to the affray, before his death. And on such conflicting and uncorroborated testimony as this, you are asked to take the life of a fellow-being.

Gentlemen, I think I have stated the case fairly. I have certainly endeavored to do so. I have spoken of the testimony as it was given, according to the best of my recollection, and I believe it clearly establishes the fact that this prisoner was reduced to a condition where it was right and lawful for him to avail himself of any means of defense and protection that were within his reach.

Now, what is the law that applies to the case? I shall not trouble you with much of it, and I will endeavor only to call your attention to that which is strictly applicable. Many cases have been cited for your consideration, some of them involving nice distinctions and subtle questions of law, in regard to which even lawyers and judges have hardly been able to satisfy themselves. Is it to be expected, then, that, from sources such as these, you must reason and analyze and deduce the law it is your duty to act upon in a case of such magnitude as this? I think not. I think no conscientious man will desire to do it; and I am quite sure that you prefer to know something of the simple principles on which this great crime of murder is founded, and the circumstances and elements that go to make up its different degrees.

I contend that, according to all principles of law, the facts which have been developed in this case prove the act for which the prisoner at the bar is arraigned to be neither murder nor manslaughter, but justifiable homicide. Though the words of the law may not be known to every man, yet the statutes thereof are written in his heart. You know what malicious killing is, what killing in the heat of blood is, and what killing in self-defense is, and your own judgments, as well as your hearts, tell you that there is a wide difference between them. In morals and in law, the criminality of men's conduct depends on the circumstances under which they act, and the motives by which they are actuated.

There is nothing more simple than the principle of Common Law on the crime of murder. Malice is the essential ingredient. It may be caused by some difficulty and grudge, but it must be indicated in that wicked state of mind—that distempered and

depraved condition of heart—which show them to be bent on mischief. When a man kills another under such circumstances and from such instigation, that is murder. But had this accused any such grudge or malice towards Prof. Butler? None. If he had ill feeling towards any one, it was towards Sturgus, his enemy; for Butler he had no sentiments but those of friendship and respect. In his own language, he had always found him “a gentleman and a just man.” The act cannot be murder.

But manslaughter—this is another gradation of the crime. When in an unpremeditated difficulty, without malice aforethought, in the heat of passion, one man kills another it is called manslaughter. The crime is not so aggravated as that of murder, as the malice does not exist; yet it is not excusable, for the heat of passion is no justification for trifling with human life. But the law, making allowance for the weakness and infirmities of our nature, considers this an extenuation, and reduces the offense to manslaughter. Where parties are engaged in combat on equal terms, and there being no occasion to resort to such means for self-defense and protection, one kills the other, he is guilty of this crime.

But where a man in sudden affray is beaten or assaulted in such a manner as to peril his life, or place him in danger of great bodily harm, when there is no other way of escape, he has a right to kill his adversary, and the law calls it justifiable homicide,—killing in self-defense. The law is very tender of human life, and therefore homicide, even in self-defense, is spoken of by the English authorities as “excusable rather than justifiable.” And thus the definition of it given by Lord Bacon is “a blamable necessity.” Yet though blamable, it is a necessity, and it excuses and acquits the party. It is described as “that whereby in a sudden broil or quarrel a man may protect himself from assaults or the like by killing the one who assaults him.” But it must not be used as a cloak for a revengeful and wicked heart, for we are explicitly told that we may “not exercise it but in cases where sudden and violent suffering would be caused by waiting for the intervention of the law.”

Language cannot be plainer than that of this distinguished author, Judge Blackstone. “And this,” he says, “is the doctrine of universal justice as well as municipal law.” It is another principle equally well established, that except in cases of extraordinary violence, where it cannot be done without subjecting him to enormous peril, a man must “retreat to the wall,” or to some other impediment which he cannot pass, before he may take the life of his adversary.

Gentlemen, I shall trouble you with but few more extracts

from this or any other author. You see in what justifiable homicide consists—you see that you have a right to kill when you cannot otherwise escape death, or severe bodily harm; but that you must exercise this right only in a case of extremity—only in sudden affray—only when subjected to a condition where you can no longer defend yourself but by killing. It is not every blow that necessarily gives the right to take life; if the person be not injured, the blows not severe, and the parties not unequal in physical strength, or the one who is assaulted may retreat without further harm, the homicide is not justifiable.

Cases have been read to you that if a man provoke a contest himself, for the sake of obtaining a pretext to carry out the malignant and wicked purpose of his heart, and, during it, kill his opponent, it is not excusable, but is murder. I think you readily perceive, however, that this principle is totally inapplicable here. If A pursue B with malice, seeking an opportunity to kill, and, provoking a quarrel that he may do so, carries out his purpose, the act is murder. Mr. Gibson read to you yesterday a case of this kind; but here the defendant sought no quarrel—no combat—no difficulty; he sought a reconciliation. With what propriety, then, do the gentlemen attempt to confound in your minds cases where men are seeking to exercise the malice of a wicked and revengeful heart, with such a one as this? They have no connection whatever.

It is a well-established principle (Wharton's American Criminal Law, p. 311), that "no words will amount to an assault;" and (do. 313), that "no words will justify an assault." Mr. Ward had made no assault; it is true he applied opprobrious words, but they neither constituted nor justified one. The gentlemen have told you here, and their own witnesses have testified to it, that Mr. Butler was a man of courage, who would not receive such language without giving a blow in return. I do not complain of them for showing that he was a man of spirit; but I do contend that they had no reason to look to the law for any justification of his conduct. He had no right under the circumstances to take redress into his own hands—the principle is laid down in so many words. He was first in fault—he made the first assault—Ward was forced back until he could retreat no further—in the literal language of the law he had "been driven to the wall;" and there, pressed back, and bent down and beaten in the face by his adversary, he shot him.

Now, gentlemen, have I not brought this case, not only within the principles, but within the exact words of the law relating to justifiable homicide? And I have not done it by relying on subtleties and technicalities, but I have proved it on the natural and eternal principles of Self-Defense.

We are told that where there is any other probable mode of escape, without losing life or receiving serious injury, a man is not justifiable in killing. True; but I am not aware that any such possibility existed here. The prisoner was confined, and beaten, as you have heard,—Campbell was just taking the tongs, to give his assistance if necessary, and Sturgus also was in motion. I will say no more about the extreme debility and feebleness of the accused, for you know it, and can perceive it. You also know—notwithstanding the assumption of the prosecution—that Butler was a man of more than ordinary muscular power; that he had been for years in the habit of practicing, both in the gymnasium and out of it, those exercises that tend as directly to develop and strengthen the muscles of the arm as the habitual wielding of the blacksmith's hammer.

The many excellent qualities of the deceased, and his virtuous character, I freely admit,—I deplore his death. The ill-fated circumstances that led to it are all before you. That death has been the effect of circumstances,—unfortunate circumstances,—but without any premeditation or malice on the part of the accused. The same circumstances which show that his hand inflicted the fatal blow, show, from the nature and suddenness of the occasion, that there was none of that malice or wickedness which alone could make it a crime. His character, too, pleads like an angel's voice against such an imputation upon him.

In his state of feebleness or irritation, he may have naturally overrated the violence and injury with which he was threatened, and the necessity of protecting and defending himself by shooting the deceased. But surely a man, in such a condition, is not to be sacrificed for a misjudgment of the exact degree of the necessity which warrants him in such a defense.

You will make all just and humane allowances on this subject. You, sitting here in quiet, solemn consideration, must yourselves feel some difficulty in deciding the exact degree of violence with which he was threatened, and the lawful extent of his defense which it justified. How, then, are you to expect him to decide those questions in the strife and passion of the moment?

The decision in Tennessee, to which your attention has been called, establishes the principle that if a man, from good reasons, *believes* his life or his person to be in danger, he has the right to kill. He must act upon the instant, or not at all,—in the heat of passion and conflict, and when his means for observation are limited. The real question here is, Whether Matt. Ward, in his feeble and reduced condition, did not apprehend, and that from good reasons, that he was in danger? If he did, there was no guilt, no criminality, and he deserves an acquittal.

The gentlemen for the prosecution have spoken of the declarations of Mr. Butler on his dying-bed. Now the inquiries of Dr. Thomson were made for the purpose of ascertaining a medical fact. He desired to learn what was the position of Butler when he received the shot; and Butler replied to him that they were clinched. The arm of Prof. Butler was raised, and it was then found that the probe followed the wound, at least for a short distance, when before it did not penetrate at all. This demonstrates anatomically, naturally, necessarily, that Butler and Ward must have been engaged in combat when the fatal event occurred. Why was the hand of Butler raised if he was not engaged in a struggle? This is the legitimate inference from the testimony given by Dr. Thomson.

But Barlow was present at the same time, and while Dr. Thomson was engaged in taking out his instruments and preparing to attend to his professional duties, he, with a curiosity perfectly natural, inquired how this had happened. A man had been shot down under peculiar circumstances, and it was not strange that Barlow should follow him to Colonel Harney's residence and ask how it had been brought about. Butler replied: "He gave me the lie and I struck him for it; then he shot me." According to this, Butler admitted that he struck the first blow. It is true he was provoked by the language used; but you have been reminded that neither those nor any other words justify a blow.

But the counsel for the Commonwealth contended that Butler could never have made those statements, simply because Dr. Thomson did not hear them. The doctor himself, however, has told you that there were five or six persons in the room; and you can judge for yourselves whether a physician under such circumstances, when his mind was engaged with his professional duties, would be likely to recollect very accurately. Barlow states that he was there; and he *was* there. He has minutely described the position and clothing of Butler, spoken of the brandy sent for by the physician; and by relating many other facts trivial in themselves, has demonstrated, beyond a doubt, that he was present. The conversation Butler held with him was in answer to a direct question to ascertain the history of the occurrence; his reply to Dr. Thomson was to state the scientific fact of the position of his hand.

Well, Barlow has been spoken of in strong terms here; he has been terribly denounced; and if any words could justify an assault, the language that has been applied to him would certainly do so. But it cannot; lawyers, as well as other men, have their own peculiar privileges, and I am sure I have no desire to see them diminished. Of the course of the counsel



for the prosecution, I admire the most that of Mr. Gibson. Mr. Carpenter's abuse of this witness seemed to be spontaneous. He rejoiced at an opportunity to exercise the peculiar talent he possesses for that style of argument. But Mr. Gibson tells you that he considers it out of place; that he will not indulge in it; and maintaining that the witness is perfectly annihilated, magnanimously informs us that he will not trample on the dead!

I never saw this Barlow before; but how does he appear to you? What impression has this man left whom the lawyers,—not the law,—not the court,—but a few lawyers, have so earnestly attempted to degrade in your estimation; have cast a ban upon, and excommunicated so peremptorily from the society of all good men? I care very little for his testimony; we had other evidence sufficient to establish the facts he has proved; but I believe all these attacks to be gratuitous and unjust. He may, in some respects, have acted foolishly; he may have been imprudent, but we have every reason to believe that he is not dishonest. Within half an hour after it occurred, he told Mays and Sullivan of his visit to Col. Harney's, and the conversation with Butler; and soon after this he related the same fact to Mr. and Mrs. Crenshaw. Yet Mr. Carpenter tells you that he fabricated the story because he was fascinated with the idea of associating in a wealthy and aristocratic family; because he sought to obtain a view of the interior of the house of Mr. Robert J. Ward. How do they reconcile this with the fact that he then made the same statements which he has made here to three witnesses of the highest intelligence and respectability? He stands confirmed, as far as a witness can be confirmed; and if any stain has been cast upon him here, it has only been done by the lawyers who have made him the subject of their abuse. He has proved the most unexceptionable character by the Mayor of Louisville and other gentlemen, who are above imputation; in the eye of the law and of his fellow-citizens he is perfectly credible, and so far as any testimony he has given in this case is concerned, he may be relied on by you as safely as any other witness who has testified in it.

These statements of Butler to which Barlow has deposed, accord perfectly with the testimony of Robert Ward. You could expect no details from a man under such circumstances and in such a situation as Butler,—he only gave a general description of the occurrence; but Robert has given you the details. And Prof. Yandell, who was present at the same time, does not tell you, like Dr. Thomson, that Ward came to the school-house, cursed him, struck him, and shot him; but gives quite another account of his statements. He speaks of him raising his hand, as he thought, to indicate that the accused had

elevated *his* in a threatening manner; but you all know how common the habit of raising the hand in conversation is with some men. Dr. Thomson, it seems, heard no word of those statements which were made to Prof. Yandell; and the discrepancy between them is not surprising, for, as they were engaged at that moment, the cause of the occurrence was a matter of secondary importance,—not one of peculiar interest to them.

Here, gentlemen, I beg leave to recur for a moment to a circumstance which, I must confess, has surprised me. It was the general evidence of the school-boys that Ward entered the house with his right hand in his pocket, and gesticulated with the fingers of his left. Is it not wonderful that a fact so immaterial, so little likely to attract attention, as the circumstance that a gentleman had his hand in his pocket, and which of the hands he had there, should be remembered with so much accuracy by so many of these witnesses, so long after its occurrence? But you perceive that it has been made a matter of considerable magnitude here. No doubt Sturgus thought it was important to show that the right hand was on the pistol all the time, as if in a sort of conspiracy with it, to act jointly at precisely the proper moment; and rather than destroy this hypothesis they would have you believe that if the accused struck a blow, it was with his left hand. Now, you can readily perceive why they would like to keep the right hand of Matt. Ward on that pistol during the whole time; and I have no doubt that these boys have ever and anon heard the statement made in so many conversations, held for the purpose of assisting their memories, that they are now convinced the hand really was in that position, and that they saw it there.

Again, they contend that Butler struck, if he struck at all, with the left hand, and therefore that the blows could have inflicted no injury. Now, if his right hand had been so long and so utterly crippled, as they have attempted to show, it must certainly have been a non-combatant, and the left hand must have learned, years before, to perform all the offices of the right. Thus their presumption is effectually destroyed.

You have been sitting here, gentlemen, for eight days. Can you tell whether your hands were in your pocket when you came in this morning, or on any other morning? Can you tell the position of the hands of any of the counsel, as they rose up to address you, face to face? As you have been seated at home, in your own house, and visitors have entered, can you recollect the position of their hands? Yet a fact so trivial and unimportant at the time—one which could then be of no possible interest—for no difficulty was apprehended until Butler had collared Ward—is related with this minuteness! I would sup-

pose that not another human being in the form of a man ever entered that school-room, in regard to whom so many boys can recollect distinctly the position of his hands. Whether the hand was in his breeches or his coat pocket is not a matter of so much importance, and therefore not remembered so well! Gentlemen, you must be convinced that the recollection of such a fact, under such circumstances, is utterly impossible.

And he gesticulated, they say, with his left. Why should he not let the right hand do the right hand's work?—why should it be kept on that pistol? The idea is absurd. All the circumstances show that he at first expected no difficulty. Who believes this? Who does not know that, however unconscious of it the boys may be, this is the work of a strained imagination, supplying the place of a strained memory?

Sturgus, as you have heard, had administered a whipping to the boy on a former occasion, the facts of which we desired to introduce here, but we were not allowed to do so. Is it not probable that, instigated by his enmity towards the Wards, when he heard of this punishment, he advised Butler to refuse all explanation and investigation? The circumstances of the case—the position of Butler and Ward—their friendly relations—the just and reasonable demand that was made—all show the refusal to have been inconsistent with his character and his heart. Is it not a rational inference, then, that he may have been prompted by the sinister, subterranean motives of another man, who desired to minister to his own anger and ill feeling? I think it was not like Butler, when he was asked such a question, by a man he knew so well, and esteemed so highly, to button up his coat and answer, haughtily, “I am not to be interrogated, sir.” But it *was* like Sturgus.

Gentlemen, I am consuming much of your time, but I believe the case is clearly comprehended by you. I think I have made up the facts and made out the law. I think you are satisfied that the pistol was not fired, so far as we can judge, until there was no other way of rescue for the prisoner from the peril of his life or of great bodily harm. I think you understand the principle that the law holds all such bloodshed justifiable,—though blamable, yet excusable. This, then, is the condition in which the prisoner stands; and upon these plain facts and these great principles I think I may base my argument.

But there are other points in this case to which I feel it my duty to refer. Notwithstanding the circumstances we have made out, this young man has been persecuted and denounced from the first as one of the vilest of men, and of murderers. He has been held up to the world as the perpetrator of a deliberate and diabolical outrage,—an act of fiendish malignity,

for which there was no particle of mitigation. For months and months he has been thus pursued with misrepresentations and revilings. This version of his case has been spread upon the wings of the wind through the columns of the press. Now, it matters not in effect whether these publications were made from the basest of motives, or in all sincerity and truth, by those who were deceived by his persecutors—they *were* made. These rumors have gone abroad, anticipating the result of this trial; but you see how little his real case is like the one that has been represented to the world.

His only refuge is in your verdict. Through all this persecution and these revilings he has passed; now, thank God, he waits the decision of your calm judgment. I said his persecution was over; but through those associated in the prosecution of this case with my friend Mr. Allen, it all seems to have been concentrated here. The first of them, Mr. Carpenter, was eloquent in denunciation of the prisoner. What necessity was there for this? It is his duty to convict, upon the law and the testimony; but what right has he to turn from you to the accused and assure him, if you do not feel warranted by the facts of the case in finding him guilty, he will be pursued, through all time, by some horrible monster the speaker's own imagination has conjured up? What unsolicited and perfect insolence to prosecute a man, and in case the prosecution cannot be sustained, to threaten him with a fate as cruel as any verdict you can bring! Is this practicing law according to its spirit? Is it necessary, when a prisoner is in the custody of the law, his hands and his tongue tied, for a prosecutor to feed his little vengeance in such a manner as this? Sir, it is intolerable,—it was never equaled!

Let us come to a later instance, from our brother and our friend, Mr. Gibson. Was such language ever heard before? Should a man, when on trial for his life, be denounced as a damned villain, and his act as a damnable crime? Is not this a singular, an improper course to pursue towards an unfortunate prisoner? Is it not alike cruel to him and disrespectful to the jury? Your duty, gentlemen, is too responsible to suffer you to think of the subject in such terms. There is no congruity between your solemn thoughts and such language as this; and I have no fears that you will allow it to influence them.

My friend Mr. Gibson is a man of great impulses, and when not excited, of generous impulses. In an early stage of his argument he tells you, more in accordance with the facts, more in accordance with the love of justice existing in his own manly heart, that he believes the accused sought the school-house of Prof. Butler without an intention to do violence. But after-

wards, when his feelings are more excited, when his impulses are brought up to the prosecuting point, he declared, in tones that vibrated through this court-room, his belief that he went there to play the part of an Italian assassin. Is not this a little inconsistent? At one time he tells you he shall be glad to see it done, if you can find any satisfactory grounds for his acquittal; and again, that if you do acquit him, he shall believe all the tales he has ever heard, that justice has fled from the borders of old Kentucky. Furthermore, he would have the bereaved mother train the child of the deceased to follow the track of this prisoner, like a bloodhound, and never rest until his hands were red with his blood!

What! would he have that mother, with her heart softened by premature sorrows, instill into the tender mind of the child such horrible instincts as these? Did he really mean this? I am sure he did not; and I only allude to the fact to show with what fierceness and ardor this prosecution has been pursued. It has been carried on with a precipitancy and passion that would not even allow its conductors to keep within the bounds of propriety or consistency.

I now remember another of those flights of Mr. Carpenter, to which, as it involves something more than mere words, I would call your attention. Not satisfied with urging you to do it, in pursuance of what he deems your duty to yourselves and to society, the gentleman asks you to convict this man that it may be an event of joyful remembrance to you when you appear before your Maker. He assures you it will be a great solace and consolation to recollect that, when a fellow-man was brought before you and his fate consigned to your hands, you convicted him.

He would have you tell the Judge of quick and dead, when you stand at his tribunal, how manfully you performed your duty, by sending your fellow-man to the gallows! He apprehends that it will go a great way to insure your acquittal there and your entrance to the regions of eternal bliss, if you are able to state that you regarded no extenuating plea,—took no cognizance of the passions and infirmities of our common nature,—showed no mercy, but sternly pronounced his irrevocable doom. I understand that it would be more likely to send you in a contrary direction. I understand that a lack of all compassion during life will hardly be a recommendation there. I understand that your own plea will then be for mercy; none, we are taught, can find salvation without it,—none can be saved on their merits. But according to Mr. Carpenter's idea, you are to rely there—not upon that mercy for which we all hope, but on your own merits in convicting Matt. Ward! Don't you think

the gentleman rather failed in the argumentative portion of his point? It seems to me he would have done better to take you somewhere else for trial.

I have somewhere heard or read a story from one of those transcendental German writers, which tells us that when the Almighty designed to create man, the various angels of his attributes came in their order before Him and spoke of his purpose. Truth said, "Create him not, Father. He will deny the right, deny his obligations to Thee, and deny the sacred and inviolate truth; therefore create him not." Justice said, "Create him not, Father. He will fill the world with injustice and wrong, he will desecrate thy holy temple, do deeds of violence and of blood, and in the very first generation he will wantonly slay his brother; therefore create him not." But gentle Mercy knelt by the throne and whispered, "Create him, Father. I will be with him in all his wanderings, I will follow his wayward steps, and by the lessons he shall learn from the experience of his own errors, I will bring him back to Thee." "And thus," concludes the writer, "learn, oh, man, mercy to thy fellow-man, if thou wouldst bring him back to thee and to God."

Gentlemen, these lawyers have endeavored to induce you to believe that it is a duty you owe even to Mercy herself to convict this prisoner. That you have nothing to do with mercy,—that there is a governor somewhere, a good, kind-hearted man, who may exercise it if he chooses,—but that you have no right to show mercy. And pray, what are you? Yesterday you were but men,—just men, kind men, and merciful men. Tomorrow, when you have left this jury-box, you will be the same again; but according to the ideas that have been advanced, you must divest yourself of this attribute when you enter here, and become men of stone,—mere mathematical jurors, with no more feelings and sympathies than if you were marble statues. Is this the right of trial by jury? Is this the principle our fathers contended for, fought for, died for? If it be, I can only say, it is not worth the struggles that have been made for it.

It is a merciful law, gentlemen, you are called upon to administer. I desire to see you do your duty; I desire that the law should be obeyed and enforced; but in the matter of the facts you have the exclusive right to judge. I agree with the gentlemen that you have no right to show mercy where the facts will not warrant it; but it is your duty alone to consider these facts, put them together, and upon them found your verdict. In examining these facts, may not one judge of them more kindly, and hence ascribe better motives than another? The consideration of the facts and the causes that produced them is the proper place for mercy to be applied. The law

says the murderer shall be punished ; but it is your province to ascertain what constitutes the murderer.

You have a solemn duty to perform, and I want you to perform it. I want you to perform it like men—like honest men. I ask your sober judgment on the case, but it is right for that judgment to be tempered with mercy. It is according to the principles of law, one of whose maxims tells you it were better for one hundred guilty men to escape than for an innocent one to be punished. Is not here your commission for mercy ? It is alike your honest minds and your warm hearts that constitute you the glorious tribunals you are,—that make this jury of peers one of the noblest institutions of our country and our age. But the gentlemen would make you a set of legal logicians—calculators, who are to come to your conclusion by the same steps a shopkeeper takes to ascertain the quantity of coffee he has sold by the pound. That may be a jury in name, but it is in nothing else.

But I wish to call your attention to another fact that figures in this case. Mr. Carpenter, with more adroitness than Mr. Gibson, but with less scrupulousness, has attempted to create a prejudice against this prisoner by speaking of his family as aristocratic,—as believing themselves better than ordinary mortals. I suppose I feel no personal offense at this, for I have always belonged to that class usually called poor men. But in this country no man can be above a freeman, and we are truthfully told that “poor and content is rich enough.”

Do you not see the object of all this when the gentleman speaks in his peculiar tone of “Ward House,” and tells you that “a Ward had been insulted—a Ward had been whipped—and therefore the stain must be wiped out with blood” ? Do you not detect the low, unjust, unrepudican attempt to create a prejudice against this prisoner ? What right have they to do this ? The charge is personally an outrage upon him—the assumption is false. And we all know that before our laws every man, whether he come from the cabin or parlor,—whether he be rich or poor,—holds the same position, has the same rights and the same liabilities with all other men. Why, then, attempt to excite this low, vulgar feeling towards Mr. Ward ? Why seek thus to prejudice your minds against him and his ? I am sure that if the gentleman expected any response to such low, envious sentiments in your hearts, he made a grave mistake. There may be those who hate all men they are unable to imitate ; but you, I presume, are willing to see all your countrymen enjoy any position they have honorably obtained in whatever manner they please.

In conclusion, gentlemen, I beg leave to call your attention

to an important consideration bearing on the whole case, and affording a key, I think, to the heart of this young man. I allude to his general character and disposition through life. I need not recall your attention to what we have shown it; it is all perfect in your recollection. I have no occasion to exaggerate; he has shown, in the clearest and most conclusive manner, a character of which you or I, or any man living, might be proud. As in boyhood, so in manhood. His riper years only exhibited to the world the amiable and lovely and genial traits of the boy, more illustriously developed in the man.

I am one of those who believe in blood and in consistency of character. Show me a man that for twenty or thirty years has been kind and honest and faithful in all the relations of life, and it will require a great deal of evidence to induce me to believe him guilty in any instance of a gross and outrageous wrong. You have seen the character of this man from his earliest boyhood—so kind, so gentle, so amiable—ever the same, at school and at college, in the city or in the country, among friends or strangers, at home or in foreign lands. There was no affected superiority. You see how many mechanics and artisans have been his constant associates and friends. With health impaired and with literary habits—never seen in drinking-saloons or gaming-houses—his associations with men of all classes—he has ever been the same mild, frank, and unoffending gentleman, respecting the rights of others and only maintaining his own. This is the man you are called upon to convict. His act was an unfortunate one, but it was one he was compelled to do. And though he has been misrepresented and reviled and wronged, I trust it will be your happy privilege by a verdict of acquittal to vindicate his character in the eyes of all good men, and restore him to that family whose peace, happiness, and honor are at stake on your verdict. Your decision must cover them with sorrow and shame or restore them to happiness that shall send up to Heaven, on your behalf, the warmest gratitude of full and overflowing hearts.

Gentlemen, my task is done; the decision of this case—the fate of this prisoner—is in your hands. Guilty or innocent—life or death—whether the captive shall joyfully go free, or be consigned to a disgraceful and ignominious death—all depend on a few words from you. Is there anything in this world more like Omnipotence, more like the power of the Eternal, than that you now possess?

Yes, you are to decide; and, as I leave the case with you, I implore you to consider it well and mercifully before you pronounce a verdict of guilty,—a verdict which is to cut asunder all the tender cords that bind heart to heart, and to consign



this young man, in the flower of his days and in the midst of his hopes, to shame and to death. Such a verdict must often come up in your recollections—must live forever in your minds.

And in after-days, when the wild voice of clamor that now fills the air is hushed—when memory shall review this busy scene, should her accusing voice tell you you have dealt hardly with a brother's life,—that you have sent him to death, when you have a doubt whether it is not your duty to restore him to life,—oh, what a moment that must be—how like a cancer will that remembrance prey upon your hearts!

But if, on the other hand, having rendered a contrary verdict, you feel that there should have been a conviction,—*that* sentiment will be easily satisfied; you will say, "If I erred, it was on the side of mercy; thank God, I incurred no hazard by condemning a man I thought innocent." How different the memory from that which may come in any calm moment, by day or by night, knocking at the door of your hearts, and reminding you that in a case where you were doubtful, by your verdict you sent an innocent man to disgrace and to death!

Oh, gentlemen, pronounce no such, I beseech you, but on the most certain, clear, and solid grounds! If you err, for your own sake, as well as his, keep on the side of humanity, and save him from so dishonorable a fate—preserve yourselves from so bitter a memory. It will not do then to plead to your consciences any subtle technicalities and nice logic,—such cunning of the mind will never satisfy the heart of an honest man. The case must be one that speaks for itself—that requires no reasoning—that without argument appeals to the understanding and strikes conviction into the very heart. Unless it does this, you abuse yourselves—abuse your own consciences, and irrevocably wrong your fellow-man by pronouncing him guilty. It is life—it is blood with which you are to deal; and beware that you peril not your own peace.

I am no advocate, gentlemen, of any criminal licentiousness,—I desire that society may be protected, that the laws of my country may be obeyed and enforced. Any other state of things I should deplore; but I have examined this case, I think, carefully and calmly; I see much to regret—much that I wish had never happened; but I see no evil intentions and motives—no wicked malignity, and, therefore, no murder—no felony.

There is another consideration of which we should not be unmindful. We are all conscious of the infirmities of our nature—we are all subject to them. The law makes an allowance for such infirmities. The Author of our being has been pleased to fashion us out of great and mighty elements, which

make us but a little lower than the angels; but He has mingled in our composition weakness and passions. Will He punish us for frailties which nature has stamped upon us, or for their necessary results? The distinction between these and acts that proceed from a wicked and malignant heart is founded on eternal justice; and in the words of the Psalmist, "He knoweth our frame—He remembereth that we are dust." Shall not the rule He has established be good enough for us to judge by?

Gentlemen, the case is closed. Again I ask you to consider it well, before you pronounce a verdict which shall consign this prisoner to a grave of ignominy and dishonor. These are no idle words you have heard so often. This is your fellow-citizen—a youth of promise—the rose of his family—the possessor of all kind, and virtuous, and manly qualities. It is the blood of a Kentuckian you are called upon to shed. The blood that flows in his veins has come down from those noble pioneers who laid the foundations for the greatness and glory of our State; it is the blood of a race who have never spared it when demanded by their country's cause. It is his fate you are to decide. I excite no poor, unmanly sympathy—I appeal to no low, groveling spirit. He is a man—you are men—and I only want that sympathy which man can give to man.

I will not detain you longer. But you know, and it is right you should, the terrible suspense in which some of these hearts must beat during your absence. It is proper for you to consider this, for, in such a case, all the feelings of the mind and heart should sit in council together. Your duty is yet to be done; perform it as you are ready to answer for it, here and hereafter. Perform it calmly and dispassionately, remembering that vengeance can give no satisfaction to any human being. But if you exercise it in this case, it will spread black midnight and despair over many aching hearts. May the God of all mercy be with you in your deliberations, assist you in the performance of your duty, and teach you to judge your fellow-being as you hope to be judged hereafter!

Another word, gentlemen, and I have done. My services in this case were volunteered. I had hardly expected that so unimportant a fact could excite attention or subject me to reproach. What! shall all the friends of this young man be driven from him at such an hour? I had known him from his boyhood—I had known his family from mine. And if, in the recollections of the past—in the memory of our early intercourse—in the ties that bound us together, I thought there was sufficient cause to render it proper, whose business is it? Whom does it concern but my client and myself? *I am a volunteer*

—I offered my services—they were accepted, and I have given them in this feeble way.

I thank you kindly for your attention during my long and uninteresting discourse. I only ask that you will examine this case carefully and impartially, for in your justice and your understanding I have deep and abiding confidence.

The conclusion of Mr. Crittenden's argument elicited lively applause from the listeners with which the room was crowded. It was promptly checked, however, by the court, with the request that no such demonstrations should be repeated.

There was no act of Mr. Crittenden's life which brought upon him so much bitter censure and actual abuse as his volunteering as counsel in the case of the trial for murder of Matt. Ward. The following letter was addressed to him by the members of the bar practicing before the Court of Appeals of Kentucky:

FRANKFORT, September 12, 1854.

To Hon. J. J. CRITTENDEN.

DEAR SIR,—The undersigned, members of the bar, practicing before the Court of Appeals of Kentucky, have witnessed with regret and mortification the newspaper attacks upon you for appearing as counsel on the trial of Matt. F. Ward, and feeling that it is not less an act of justice to the profession to which they belong than to yourself, one of its most distinguished ornaments, beg leave, without entering into details, to express to you their conviction that there has been nothing, either in the manner of your appearing or in the conduct of the case on your part, inconsistent with the highest *professional* propriety, and that your entire conduct has met their full and cordial approbation.

We have the honor to be, very respectfully,

Your obedient servants,

GARRETT DAVIS,  
THOMAS P. PORTER,  
W. K. SMITH,  
J. C. HERNDON,  
W. L. CALLENDER,  
THOMAS TURNER,  
JAMES HARLAN,  
D. BRECK,  
J. B. HUSBANDS,  
W. B. KINKEAD,  
J. M. STEVENSON,

MASON BROWN,  
B. MONROE,  
JOHN RODMAN,  
C. S. MOREHEAD,  
D. HOWARD SMITH,  
M. C. JOHNSON,  
THOS. N. LINDSEY,  
S. FLOOD,  
W. L. HARLAN,  
J. E. SPELLMAN,  
P. S. CABEL,

J. M. HEWITT,  
GEO. W. CRADDOCK,  
T. P. ATTICUS BIBB,  
S. S. NICHOLAS,  
H. T. ALLISON,  
JOHN M. HARLAN,  
F. K. HUNT,  
RICH'D A. BUCKNER,  
J. C. BRECKINRIDGE,  
G. W. DUNLAP,  
JAMES MONROE.

The following reply of Mr. Crittenden to the members of the

bar will fully explain the feelings and principles upon which he acted in the Ward trial :\*

FRANKFORT, KY., December 30, 1854.

GENTLEMEN,—Your letter of September 12th, owing to accidental causes, did not reach me until a few days ago. I thank you for it with my whole heart. I have read it with proud satisfaction. It conveys to me the voluntary expression of your full approbation of my conduct in appearing as counsel for Matt. F. Ward, and defending him upon his recent trial. It is a tribute honorable to yourselves, honorable to me. Do not think me less grateful, however, when I say that I feel myself entitled to it, as one who has been aspersed, and rudely called in question, for exercising the common right of our noble profession,—the right to appear for and defend the accused in trouble and peril,—and, *even* if they be guilty, to say for them all that law or humanity will allow in extenuation or excuse of their offenses. This can be no offense against God or man. Our profession affords us the opportunity of performing it, and the lawyer who refuses to perform that duty, upon proper occasions, neglects his professional obligations; and he who shrinks from it from any fear or favor, or having undertaken it, shall, from any fear or favor, diminish the force of the defense, by any softening or omission, is unworthy of his profession.

It has so happened that, in the course of a long professional life, I have never appeared as counsel against any man upon his trial for any criminal offense. Others, better than me, have done it; but I never did. I have feared to do it, lest in the spirit of controversy, and pride for professional victory, I might be instrumental in bringing down unjust judgment on the head of some unfortunate fellow-creature. The accused, whether guilty or innocent, are always wretched, and my sympathies incline me to their side; not because I favor or approve the guilty, but because I hope they may be innocent, or not so guilty as charged to be. The law, in its justice and humanity, presumes every man to be innocent until pronounced to be guilty by the verdict of a jury, or by the judge, upon his own open confession in court. I have acted upon this humane presumption of the law; and I do not recollect that, in any instance, I ever refused to appear for any accused person, whoever sought my assistance, if consistently with my convenience or other engagements I could do so. I have defended many such, without distinction of rich or poor. Whether I should do so, with or without a fee, was a question which I have supposed concerned nobody but myself and my client. I have often appeared for the humble and

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\* This reply to the bar was never published.

poor, particularly if they were my acquaintances and friends, without fee or the hope of any other reward than that which follows the recollection of duty performed. In the retrospect of these things I find satisfaction and pleasure: nor is that satisfaction disturbed by the probability that some of those clients who, perhaps, were not innocent, may have escaped the rigors of the law. After all, it is only one more poor, offending child of humanity who, escaping the punishment and vengeance of man, is left to the mercy and justice of his God.

The excitement which existed against Mr. Ward was turned blindly and fiercely against his counsel, whose only offense was that they had defended him on his trial. For this I, especially, have been made the subject of exasperated abuse and aspersion; but these attacks have not shaken my inward confidence in the rectitude of my conduct. I know that I have done right; that I have done but that which was due to my own self-respect and to the honor of my profession. That consciousness of duty performed, you would not, I am sure, if my case was yours, exchange for all the applause that could be bestowed upon you by deluded men for any act of conscious dishonor. It has enabled me to bear, with some equanimity, the unmerited reproaches that have been uttered against me. To those I have made no response. It did not become me to rail with those who chose to rail at me, and I had no excuses or apologies to make. I am too old for that, and the people of Kentucky have more solid grounds upon which to judge me than wanton denunciations on the one side, or apologies or excuses on the other. I was willing in silence to abide their judgment, trusting in their justice and their knowledge of me, and leaving my character alone to speak for me against all accusers.

But, whatever may have been the most proper course in the past, you, gentlemen (thanks to you for it), have relieved me, by your letter, from all necessity for any self-vindication. You, able, experienced, and distinguished members of the profession, and not less eminent as citizens than as jurists, have put the seal of your approbation to my whole conduct in appearing for and defending Mr. Ward, and I want no better shield than that.

Although it may seem to be unnecessary and superfluous, I desire to avail myself of this occasion to state in substance my whole connection with the case and the trial of Mr. Ward.

Some days after the tragical event which led to that trial, I was in Louisville, and happened to meet with Mr. Robert J. Ward on the street. We were old acquaintances, and for thirty years there had been a constant social and friendly intercourse between us. He seemed to be full of grief at our meeting, and spoke to me at once, in tones of the deepest distress, about the

case of his sons, then in prison, charged with the murder of Mr. Butler, and scarcely protected by that prison from the violent popular excitement that existed against them. He deplored the death of Butler, but did not believe that his sons were guilty of murder, and represented to me, in effect, that if they could have a fair trial, and the whole truth developed, it would afford a good ground of defense. He proceeded to say, that immediately on the occurrence of the case he wrote to me to engage my services as counsel for his sons ; but that after consulting with the elder of them (Matt. F. Ward), the letter was suppressed, from their apprehension that it might involve me in all the prejudice and burning excitement that existed against them. He went on to say much more that manifested his own anxious desire, and that of his sons, to have my professional services in their defense. He made then no formal or direct application to employ me as their counsel. I appreciated the delicacy and magnanimity of his course towards me, and felt more strongly the touching appeal that was made to me. I at once replied that I would appear as counsel for his sons if nothing occurred in the mean time to prevent it,—that no prejudice ought to attach to me from that cause, and that I feared none in the performance of my duty.

I do not pretend to give the particulars or language of our conversation, but the above is its substance, and here the matter rested. Mr. Robert J. Ward, the father, went to New Orleans, where he was engaged in business as a merchant. He being absent, and the court for the trial of his sons having approached so nearly that it was time to make final preparation, I wrote to the eldest of them, Mr. Matt. F. Ward, offering gratuitously my professional services, if he thought they could be useful, but requesting him to feel no diffidence in declining them if their acceptance would at all disturb the arrangements made with the other counsel already engaged for him, and adding the expression of my confidence that they were, at least, as capable as I was of defending him. This, as well as I can recollect, was about the substance of my letter. I wrote it for no other purpose, from no other motive, but to fulfill and redeem the promise I had made to the father.

In the conversation, above stated, with Mr. Robert J. Ward, there was not one word said about a fee. That was, in comparison, a trifling matter. There were other considerations in the case much more interesting to us both. I believe that if the subject of my fee had been mentioned then, or afterwards, Mr. Ward's generosity and his anxiety would have at once submitted the amount entirely to my own discretion. In the relations which I bore to him, I felt some recoiling from the

idea of bargaining with him about the money I was to receive for my services. I regarded him rather as a friend than as an ordinary client, and was unwilling to, or appear to, be a speculator on his distresses. I resolved, therefore, to take no fee, and to put an end to all question about it by writing, as I did, to Mr. Matt. F. Ward, and tendering my services *gratuitously*. This was the first communication, written or verbal, that I had with him in relation to his case. He immediately replied to it from his prison in Hardin County, to which county his case had been removed for trial, accepting my offer, and thanking me for it in the warmest and most grateful manner. Not long after that, I received another letter from him, asking, as well as I recollect, not now having that letter, if I had any objection to his making known, or perhaps publishing, that I was to appear for him on his trial. Supposing that he was fully warranted by my first to make known, as he pleased, the fact of my engagement to appear for him, I felt some little surprise that he should think it necessary to ask if I had any objection. It occurred to me, however, that he might think I wished it concealed as long as possible. I did not fear the responsibility of appearing for him, and I desired no concealment. I wrote to him, therefore, that I had no objection to his making it known as he pleased, but advised him to be prudent in all he said on the subject.

Soon after the probable receipt of this letter, there appeared in a newspaper, published in Elizabethtown, where Ward was confined, an announcement of the fact of my engagement to appear as counsel for him, accompanied with some remarks more laudatory of me, no doubt, than I deserved. I regretted the publication of these remarks, and thought it injudicious under the circumstances of the case, but not thinking it a matter of sufficient importance, I forbore to take any notice of the editorial article. I may also mention that shortly after my correspondence, or the commencement of it, with his son, Mr. Robert J. Ward returned from New Orleans, and addressed me a letter, thanking me for what I had previously written to his son, and stating but for that he had intended, immediately on his arrival, to have applied for my professional services in behalf of his sons. I will further add, that from about the commencement of this prosecution I was frequently addressed on the subject by one or more of the common friends of Mr. Robert J. Ward and myself,—was told of his anxiety that I should appear as counsel for his sons, and was urged to do so.

I have now, I believe, stated all the facts and circumstances that led to my employment in the Ward case. The statement may well appear to you to be as superfluous as tedious, but I have made it because the subject has been so much misunder

stood and misrepresented, and because my desire is that all may be truly known.

Was it not, under these circumstances, my clear right and duty as a lawyer and as a *man* to appear as counsel in this case? You have answered by approving of my conduct. If I had shrunk from the performance of that duty from any fear of the great and widespread excitement that prevailed against the accused, or from any merely selfish calculations, I should then, indeed, have felt myself degraded, unworthy the name of FRIEND—unworthy of my profession—unworthy of the respect of honorable men—unworthy of *old Kentucky*. I could have no motive to appear in the case of Ward but a sense of duty. It was not avarice that tempted me, for I declined to take a fee; it was not party or political interest, for the prisoners, their father, and a numerous connection of influential men were opposed to me in politics. I certainly could not have indulged the expectation of acquiring popularity by it, as all know that the accused were objects of the most violent and angry excitement, exasperated and spread far and wide by newspaper denunciation. No improper motive sullied my determination; nor has any such been imputed to me so far as I know.

I have stated my relations with the father and family of the accused, and the peculiar circumstances of the case that seemed to impose on me a personal obligation to appear in it as counsel. I have stated them because they are part of the history of the transaction, and because they had in fact an influence upon me. I hope that my heart will never fail to feel such influences or be slow in recognizing the duties they impose. If to stick to one's friends be a frailty, may that frailty be mine. But I do not mean out of these peculiar circumstances and relations to frame for myself any excuse or special plea. I throw myself on the great principle of *criminal justice*, that every man, no matter with what crimes he is charged, has the right to appear and defend himself by counsel, and to select whatever counsel he may choose and be able to employ. This is a right secured to every man by the Constitution, and is one of the great securities for life and liberty. I stand on this great principle, and the vindication of it is my vindication. This principle no one would venture to dispute, and with as little reason could the consequence be disputed that the counsel selected and employed by the accused had the *right*, if it was his *duty* to appear, to appear as his defender. As exceedingly appropriate to this subject, I cannot forbear to quote at some length a passage full of beauty and instruction from a sermon delivered in England by the celebrated and Rev. Sydney Smith before some of the judges and lawyers of that country. It is thus expressed:



"Upon those who are engaged in studying the laws of their country devolves the honorable and Christian task of defending the accused,—a sacred duty never to be yielded up, never to be influenced by any vehemence nor intensity of public opinion. In these times of profound peace and unexampled prosperity, there is little danger in executing this duty, and little temptation to violate it; but human affairs change like the clouds of heaven; another year may find us or may leave us in all the perils and bitterness of internal dissension, and upon one of you may devolve the defense of some accused person, the object of men's hopes and fears, the single point on which the eyes of a whole people are bent. These are the occasions which try a man's inward heart, and separate the dross of human nature from the gold of human nature. On these occasions never mind being mixed up for a moment with the criminal and the crime; fling yourself back upon great principles; fling yourself back upon God; yield not one atom to violence; suffer not the slightest encroachments of injustice; retire not one step before the frowns of power; tremble not, for a single instant, at the dread of misrepresentation. The great interests of mankind are placed in your hands. It is not so much the individual you are defending; it is not so much a matter of consequence whether this or that is proved to be a crime; but, on such occasions, you are often called upon to defend the occupation of a defender,—to take care that the sacred rights belonging to that character are not destroyed; that that best privilege of your profession, which so much secures our regard, and so much redounds to your credit, is never soothed by flattery, never corrupted by favor, never chilled by fear. You may practice this wickedness secretly, as you may any other wickedness; you may suppress a topic of defense or soften an attack upon opponents, or weaken your own argument and sacrifice the man who has put his trust in you, rather than provoke the powerful by the triumphant establishment of unwelcomed innocence; but if you do this, you are a guilty man before God."

Let any sensible or Christian man read that, and then say if I have not performed a duty—a praiseworthy duty—in defending Matt. F. Ward, as his counsel.

But it has been said that his guilt was so enormous and well known that I was blamable for appearing in his behalf. This is an absurdity. The law considers him innocent till legally convicted; but guilty or innocent, he is legally entitled to counsel, and it is the duty of that counsel to see that he is regularly and legally tried, and that he be not condemned without due proof his guilt. It is not upon what is heard out-of-doors, or upon mere hearsay. The judge and jury can know nothing of

the case but what appears from the sworn evidence in court; so it is with the lawyer; and he has no right to presume him to be, and treat him as, a guilty man merely because he is charged and rumored to be so. But suppose it would be improper and immoral in a lawyer to appear as counsel for one known to be guilty. I did not know that Matt. F. Ward was guilty of murder in killing Mr. Butler; I knew that rumor proclaimed him to be so; but rumor is not a very reliable or accurate witness. Whether killing was a murder depended on circumstances that might mitigate, or even excuse, the offense; and before any engagement was made by me in his case I was assured, in his behalf, that such circumstances did exist. When I met and communicated with him, just before his trial, he himself stated to me facts and circumstances that amounted to the same assurance; and all this was so far proved upon the trial that the jury, upon that ground, I presume, acquitted him.

I had, therefore, before the trial, and before any engagement in the case, cause to hope and believe that he was not guilty. In that hope and belief I appeared as his counsel. This much I can say, without undertaking to define the limits of professional proprieties and obligations, that I would not appear as counsel for any man known to me to be guilty of murder by his own confession or by my own personal knowledge.

In the clamor raised against Ward's counsel, it was considered as quite a reproach to me that I had appeared for him *without* a fee. If I had chosen, then, to exact a fee, all would have been right. The demerit of my conduct, according to this exception, was owing to my not having pocketed a fee; and this, at first, and for a long time, was vociferated and published as the chief, and I believe only, complaint made against me. What folly!

It has also been quite seriously urged, that it was improper for me to throw "my name" and my official "dignity" (that is, my "dignity" as senator elect to a seat about two years after) in the scales of justice in favor of Ward. I did not throw my "name" or "dignity" (whether they be much or little) into the scales of justice in his favor any otherwise than by simply appearing as his counsel in the ordinary mode of practice. I could not be so arrogant as to suppose that my "name" or "official dignity" would control the proceedings of a court of justice, or have any undue influence there. Would it not have been quite preposterous and ridiculous for me to have urged my "name" and "dignity" as an excuse for not appearing? I would have been ashamed to do it.

In the passage above quoted from the sermon of the Rev. Sydney Smith, he says that it is an "honorable and Christian

task" to defend the accused. I have done so, and I am not so vainglorious as to imagine that my poor "name" and "dignity" have raised me above, or can excuse me for, the performance of any "honorable" and "Christian" duties. Such a pretension would justly have subjected me to reproach. But when these and other like senseless topics of abuse, as various as passion and folly could make them, were exhausted, my speech in defense of Ward, and the evidence in the case, were published from the report of a stenographer, who attended the trial for the purpose,—this published report furnished occasion for a new series of criticisms and animadversions. In these I am charged with various offenses in the management and argument of the case. I cannot go through all these articles of impeachment. These are some of them:

1st. That the counsel for Ward offered a witness on his part who was indicted as an accomplice, and argued in favor of his competency, when it was plain and must have been known to them that the witness was not competent, although the judge thought differently and admitted the witness to testify.

The author of this censure may know more law than we or our judges do; but it would have seemed more decent and professional to have expressed himself a little less dictatorially on the subject. The legal question as to the competency of such witnesses, I believe, is quite a vexed question, and has been variously decided in different States and by different judges. By the same judge who presided on the trial of Ward, and by his predecessor, it had been judicially settled that they were competent. Therefore, I say, that whatever Ward's counsel may have *known*, or rather thought, they would have been treacherous to their duty and to their client, who had trusted his life to them, if, believing the witness to be important to him, they had refused or neglected to introduce him. Of what consequence was the thinkings or the opinions of his lawyers? It was on the opinions and decisions of the judge that the life of the accused depended. The lawyer who should undertake to decide points of law against his client, without submitting them to the judgment of the court, would so far make himself the judge instead of the advocate. His duty as advocate is to present them to the court, and perhaps the judge might differ with the lawyer and decide in favor of the prisoner; and not only is it his duty to present them to the court, but to say whatever can be said in their support. It results, therefore, as I think, that the censure passed on the counsel of Ward for introducing the witness who has been alluded to, is unjust and illiberal.

But, secondly, it is further, in substance, charged against me

that, in my address to the jury, I assumed facts of which there was *no proof*,—used arguments, drew inferences, and presented views that were not fairly warranted by the evidence. These allegations have not been made so much as criticisms upon the speech as criminal charges against me. These charges are founded, as I understand, upon the report of the speeches of counsel and of the evidence in the Ward case, made by a stenographer, since published. Such reports are proverbial for defectiveness and inaccuracy. I have never read the report of the evidence; but I have hastily glanced over the report of my address to the jury. I must say that it is a meagre report, and has many inaccuracies. I do not mean to complain of the stenographer, for defects, omissions, and errors were unavoidable and excusable in this instance, where he, for eight days or more, in a crowded court-house, was constantly confined to his seat and his task.

Upon such authority alone are these last-mentioned charges made. The accuser finds in my speech, as reported, some statement of facts, and then turning to the same stenographer's report of the evidence, he, as he says, can find there no evidence in support of my statement, and his conclusion is that I have been guilty of misstatement, and guilty *intentionally*, as otherwise he would hardly have thought it so grave an offense, or deserving such severe animadversion as he has bestowed upon it. But his view of the subject is totally unjust and incorrect; for if there really be any difference or discrepancy between the reporter's notes of the evidence and my statements of it in argument, the latter, without involving any question of veracity, ought to be regarded as more reliable than the notes of the stenographer. My statements or assumptions of facts, or of the evidence upon which they rested, were made in open court, and ought to be, and would have been, corrected at the moment, if erroneous, by the judge, the jury, or the opposing counsel. The failure of all these to attempt any such correction is such a sanction as ought to place my statement beyond question, or, at least, to give it higher credit than can be given to the notes of any stenographer. I have only to add here that I am entirely unconscious of having made any misstatement of evidence or of facts, as proved, when there was no such proof.

As to the other charges, that the views and inferences that I presented to the jury were stronger and more favorable than the evidence warranted, I have but little to say. These objections, at most, only imply a difference of opinion between the counsel for Ward and the critic who wanted him hung. All such would very naturally think every argument unsound which tended to his acquittal. I am not conscious of having made

myself at all liable to such imputations. I argued the case with all the ability I could, and endeavored to present to the court and jury all the views I could (both as to the law and the evidence) most favorable to my client. In all these views and arguments I, perhaps, had not equal confidence; nor were all of them, perhaps, equally sustained by law or evidence. But, as counsel, I ought not to have withheld any views or arguments that might help my client from any want of my confidence in them; although unsatisfactory to my mind, they might have been quite satisfactory to the judge and jury; and those in which I had confidence might have proved unsatisfactory to the court and jury. It was the plain course of my duty to present all the views favorable to my client that by any influences or presumptions, weak or strong, might apply to the case. The prosecuting attorneys did the like on the other side,—presented all the arguments and views that could be presented against the accused. It was all before the court and jury, and they were to judge the case after hearing all that could be said on either side.

The duties of a prisoner's counsel in such cases do not seem to me to be rightly understood by those who have undertaken to animadvert upon the counsel of Ward. I do not intend to discuss the subject here, but I hope I may be excused for making a further reference to what the learned and Rev. Sydney Smith thought and wrote about it. In an article written by him and published in the *Edinburgh Review* in 1826, in favor of the allowance of "Counsel for Prisoners" (the law of England not then allowing it in all cases), says, "The counsel has (after all the evidence has been given) a bad opinion of his client's case; but he suppresses that opinion, and it is his duty to do so. He is not to decide; that is the province of the jury; and, in spite of his own opinion, his client may be innocent. He is brought there (or would be brought there, if the privilege of speech were allowed) for the express purpose of *saying all that could be said on one side* of the question. He is a weight in one scale, and some one else holds the balance."

In conclusion, I will declare that in the trial of the Ward case I neither said nor did anything that was not, according to my judgment, within the strictest and most honorable limits of professional duty. I argued the case with all the ability I could; but no artifice or trick was used. I intended to argue the case *fairly*, and I did so, whatever may be said to the contrary.

I have been reviled for performing an act of duty,—a duty devolved on me by circumstances and by my profession. These attacks upon me have been the result of a great public excitement,—such an excitement as blinds and misleads, for the

time, even good and wise men. But this excitement, and with it its delusions, have passed, or are passing, away. In silence I have borne and forborne, in the confidence that when time and reflection had dispelled their passion, even those men who have most misjudged and wronged me would feel a deep regret for their course of injustice towards me.

I am not indifferent to public opinion. I could wish to make my conduct agreeable to all. It would grieve me to lose the good opinion of any good man. I have done nothing to forfeit the regard of any such man; and such, I trust, will be the judgment of all the dispassionate and candid when my conduct shall be fairly and justly considered. For myself, I am satisfied that what I have done is right, and I can make no apologies for it. I should be insincere and dishonest if I did.

Begging you, gentlemen, to excuse me for having availed myself of the occasion which your letter afforded me, and this tedious communication,

I remain, respectfully and gratefully yours,

J. J. CRITTENDEN.

(J. J. Crittenden to Mr. Hunton.)

ST. LOUIS, May 14, 1854.

DEAR HUNTON,—Your letter of the 2d inst. was received a few days since, and you may be assured that the motives which dictated it are properly understood and appreciated. You desire information in relation to my appearance as counsel in the late trial of young Ward, in order that you may be better able to vindicate my conduct from the unjust censure which, without reflection, has been cast upon it. I have had nothing to do with that case except professionally as counsel for the accused. My connection with it may be stated in a few words,—details are unnecessary and immaterial. Relations of private friendship had, from my earliest manhood, existed between me and many of the members of the family to which Robert J. Ward, the

father of the accused, belonged. Ward and myself had long been personal friends, and he was a friend to be loved and cherished. When he was in the deepest distress and agony it was made known to me that he desired I should appear as counsel for his sons, then imprisoned and awaiting their trial under a heavy load of prejudice and excitement. Could I, as a professional man, could I, as a friend, *have* refused to do this? No, I would not refuse! The very responsibility of appearing in the case, under the existing excitement, made it necessary for me to volunteer, or appear a timid lawyer and worthless friend. After considering the matter and the repeated solicitations of mutual friends, I determined not to reject the appeals made to me, but to appear in the case, and render the accused such professional services as were in my power. I resolved, also, to receive no fee for my services. I believed that I might exact almost any amount of compensation,—this was felt by me to be a reason for accepting none. I shrank from the idea or appearance of bargaining with a distressed friend or speculating upon his misfortunes or his generosity. Having come to these conclusions, I informed Mr. Matt. F. Ward of them by a note addressed to him some few weeks before his trial, and received from him a letter of grateful acknowledgments. His father was then, I supposed, absent in New Orleans. I did appear for Matt. Ward, and defended him with what ability I could, but I neither did nor said anything which was not within the strictest limits of an honest and honorable discharge of professional duty. The trial took place at Elizabethtown, the seat of justice of Hardin County, about eighty or a hundred miles from my residence in Frankfort. I had nothing to do with the preparation of the case, or the selection of the jury. These professional duties were performed by other counsel, better acquainted with the facts of the case and the persons presented as jurors. I have no reason to doubt but that these duties were performed in a manner becoming the profession and the honorable character of the counsel on whom they devolved. I may say that I had nothing to do with the case but to argue it before the court and jury. The trial, so far as I know or could observe, was in all respects fairly conducted. As to the accusations or denunciations that have since been made against the jury, I know nothing of their truth or justice. At the time I engaged to appear in the case, I knew nothing of it but what might have been gathered from common rumor. To give you a full view of all the circumstances in the case, I must add that I had previously, and from his boyhood, had some *acquaintance* with the accused, Matt. Ward. That acquaintance, limited as it was, had made a most favorable impression

on me, and prepared me to sympathize with him, and to believe that there were circumstances of more mitigation and excuse in his case than rumor seemed to allow. I have prolonged this letter more than I intended. My object was simply to state facts. I have done nothing in this case but what my judgment and my feelings approve. I have in the exercise of my profession appeared as counsel for a friend,—*the son of a friend*; for *this* I have no *defense* to make. I did not intrude myself into the case; I appeared in it because they wished it. I do *not desire* this letter to be published; it is too crudely and hastily written, and I shall not take the trouble to read it over. I have, besides, other *objections* to its publication.

Judge Walker, of the *Delta*, is now, I suppose, in New Orleans; *he was* present during the trial, and can give full information about it.

I am your friend,

LOGAN HUNTON, Esq.

J. J. CRITTENDEN.

(Robert C. Winthrop to J. J. Crittenden.)

BOSTON, June 25, 1854.

MY DEAR SIR,—Why should the Attorney-General stay at home while all the rest of the cabinet are traveling? I hear confidentially that *old Harvard* is going to make him an *LL.D.* at her approaching commencement. Why can you not come on and *take it in person*? You shall have three days of *most agreeable festival*. On the 15th of July the law-school hold their anniversary celebration, and have an oration from Mr. Choate, followed by a dinner. On the 16th, the commencement exercises take place; and on the 17th, the principal literary society, *Φ B K*, have an oration and poem, followed by a very quiet free-and-easy sort of dinner. I want you especially at this last *frolic*, as I am president of the fraternity. You shall meet *all our cleverest people* and see *old Harvard* with all her bravery on. Such a trip would “renew your *youth* like the eagle’s.” I have written to Sir H. Bulwer to come along, and perhaps you can make a party together. We should be most truly glad to see you, and then you could go off to Newport or where you like.

I am, dear sir, very faithfully yours,

ROBERT C. WINTHROP.

Hon. J. J. CRITTENDEN.

(R. J. Ward to J. J. Crittenden.)

NEW ORLEANS, March 27, 1855.

MY DEAR SIR,—My admiration of your character for forty years past would have made it extremely gratifying to me to



place in your hands some memorial to inform those who come after us that *you* and *I* had been *friends*. Recent events furnish me with an ample apology for doing so, and must remove any feeling of delicacy on your part in accepting it. This letter will reach you with a box containing a few articles made by my order expressly for your use, which I ask the favor of you to accept as a token of my sincere and grateful regard. Were the gift worthy of the feelings which prompt it or the merit of the person for whom it is intended, it would be something to last forever; but this cannot be. I ask as a favor to me that when you cease to use this silver on your table, you will leave it to one of your descendants bearing your family name, with a like request to him. Your late noble conduct, though in strict accordance with every act of your long and useful life, gives you claims on my gratitude never to be forgotten, and which I can never hope to repay. Your reward will surely come, though it will not be here. You have always been the warm friend of all who were unfortunate, and we have the highest authority for saying that those who have been merciful will themselves be judged in mercy.

Renewing my assurances of most affectionate regard, I am faithfully and fully your friend,

R. J. WARD.

Hon. J. J. CRITTENDEN.

(J. J. Crittenden to Robert J. Ward.)

FRANKFORT, May 5, 1855.

MY DEAR SIR,—Your beautiful present of silver has been received, and with it your letter of the 27th of March last, requesting in terms of great delicacy my acceptance of it as a memorial of our friendship. My habits and circumstances of life have not accustomed me to the use of such rich table furniture; but it is not on that account accepted with the less gratification. I receive and welcome it in the same cordial spirit with which it is given, and it shall be preserved and valued as the token of an *ancient friendship* and as a testimony that I did not forsake my friend in the day of his adversity. When I cease to use it, it shall be disposed of as you have requested, and I will make it the duty of that one of my descendants who receives it from me to have your letter engraved upon it for a *lasting remembrance*. For me to have it so inscribed would seem like vanity; for my son, it will be a filial and honorable duty.

I am your friend,

ROBERT J. WARD.

J. J. CRITTENDEN.

## CHAPTER VI.

1856.

Returned to the Senate in 1855—Naval Retiring Board—Clayton-Bulwer Treaty—Letter to his Children—British Enlistments—Notice to Denmark—Letter to Mrs. Coleman—General Scott to Crittenden—Memorial of Kansas Senators—Letter of James M. Truman and Lewellyn Pratt—Veto of the Mississippi River Bill.

**M**R. CRITTENDEN left the cabinet at the close of Mr. Fillmore's administration, and returned to the Senate in 1855, where he remained till 1861.

On the subject of the Naval Retiring Board Mr. Crittenden took the greatest interest. He thought there was, perhaps, some occasion for reform in the navy. The bill had been designed to accomplish that reform, but it had operated to a greater extent than the country or the Senate had ever anticipated. He thought the senators could not sit still and close their ears to the complaints of two hundred American citizens, officers of the navy, who had been cut down, and who appealed to the Senate against a wrong they declared to have been done them. Mr. Crittenden thought it due to the honor of the country, and to the brave men who had so gloriously maintained our flag, to look into the matter. For himself, he could not consent to confirm all that had been done summarily. He would like to retain all the good that had been done by the Board, but sooner than one honorable and faithful officer should be dishonored and displaced, as far as his vote could go, he would take the responsibility of utterly abrogating all that had been done. There was a constitutional remedy, and the President of the United States was invested with the power to apply it. Mr. Crittenden proposed to make an appeal to the Secretary of the Navy, that he would take the initiative, and send back to the Senate the names of such officers as he might deem worthy of restoration. If the executive was disposed to

co-operate, justice might in this way be done to the country by the exclusion of incompetent persons, and justice to individuals who had been dishonored. In his opinion, no tribunal had any power but that which was delegated to it by law. As to replacing the officers, that would remain a legal question. This would, of course, scatter confusion throughout the whole navy, and the end would be disastrous; and he thought the way he suggested the only way. Mr. Crittenden had seen dismissed officers talking about this question, had seen tears trickle down the cheeks which for forty years had been exposed to storm and battle, but who had no tears for such poor cause as hardship and suffering. To say "that there was no disgrace in this, to mark the efficiency of men by their thews and sinews, was a strange idea. There was one man who had a *leg broken!*—he supposed that was the cause of Maury's inefficiency. He remembered a story which he had read in his boyish days of a lame man who wanted to go to the battle of Thermopylæ, who wished to form one of that great chosen band. They told him *no*. His reply was, Lacedæmon does not want soldiers to *run away*; and he went to Thermopylæ. Is it inefficiency in an officer to be lame? Admiral Nelson *had* lost an arm in the public service of his country,—did it diminish his efficiency? No, it made him a thousand times more efficient. Suppose he had lost both legs and *both arms*, and was set up with his body, and the *face* and the *eye* of the man, in the day of battle, in the centre of his ship,—would he not have been the *image of war*, and the assurance of victory to every man around him? I cannot doubt but, upon a proper appeal to the President, he will perform the gracious office of co-operating with us."

In the Senate, on the 20th of February, 1856, the Clayton-Bulwer Treaty, as it was called, was under discussion. This treaty related to Central America. There was a question raised as to the island of Roatan. By the American interpretation the island was considered a part of Central America, and by the terms of the treaty it was to be abandoned by Great Britain. The latter government contended that she was not to abandon any previous possessions. In the course of the discussion, Mr. Wilson, of Massachusetts, was understood by Mr. Crittenden to cast some imputations upon Mr. Clayton. With his ever

prompt readiness to defend a friend, Mr. Crittenden sprang to his feet, and declared the negotiation of the treaty was a high honor of which any statesman in the land might be proud. He denied that the American Secretary of State ever had any information before the negotiation of the treaty on the subject of this claim of Great Britain to the island of Roatan. Perhaps the honorable gentleman, Mr. Wilson, alluded to something which had reached him in an imperfect and illusory way. He believed Sir Henry Bulwer had written a note to Mr. Clayton, which he had asked to take back, and *had taken back*. There was nothing that could cast the slightest shadow over the perfect integrity and sincerity of the treaty on the American side. "The senator says 'Great Britain still claims a protectorate.' Well, be it so. It is but the shadow of one, sufficient for that effigy of a king, who is set up so much to the discredit of royalty." It was strange to Mr. Crittenden that the statesmen and ministers of her illustrious Majesty could assume to place beside her, in a chair of sovereignty, this *dirty Indian king; crowned*, they tell us, at *Jamaica* with all the solemnity of royalty, and called King of Mosquitia. Well, he thought all this was harmless to us.

WASHINGTON, February 22, 1856.

MY DEAR CHILDREN,—We received your invitation of the 24th of January last to visit you at Frankfort, with the promise of a "joyous greeting." We have accepted many that are much less agreeable, but I suppose we must say, in polite and fashionable phrase, we are obliged by previous engagements to decline your invitation. How delightful it would have been to make you a flying visit during the winter! How much more gratifying than all that Washington could afford! I thought of it till it became a fixed idea—almost a reality—with me, and enjoyed it. But the vision is past and gone, and we are here in Washington without the hope of seeing you for months to come. But these months will also pass away, and we will return to you happier in proportion to the greater length of time we have been separated from you. We hope to meet, and that hope must be our compensation and our pleasure.

Take notice that we only consider your invitation as suspended, and we shall expect a great feast on our return,—a great family *carnival*. I want, furthermore, to hear our *old house* resounding with the glad voices of family and friends.

For the present we must say farewell, and health, and joy, and happiness to our children.

Your father and mother,

J. J. CRITTENDEN,

ELIZABETH CRITTENDEN.

TO A. M. COLEMAN, E. A. WATSON, C. L. CRITTENDEN, S. L. WATSON, MARY MCKINLEY, H. B. CRITTENDEN, E. WATSON, etc.

There was intense excitement in the country in 1856 on the subject of the British enlistment question within the United States. Mr. Crittenden thought the British government had made full atonement for her error by issuing orders (as soon as she heard of dissatisfaction in the United States) to the authorities in Nova Scotia and other establishments for recruiting, directing them to stop it at once. The senator from Michigan, Mr. Cass, was not satisfied, and insisted upon the recall of Mr. Crampton, the British minister. Mr. Crittenden thought the offense was against the nation, and that it would be a *small vengeance* to fall upon the British minister; he did not wish this great nation to engage in the small pursuit of individuals for national wrongs; he was opposed to this system of gathering up little offenses in our intercourse with nations,—hoarding them up and bringing them to bear when they were most sensitively felt. If we continued this course, the world would consider us quarrelsome—seeking occasion for disturbance—rather than a nation *conscious* of power and knowing how to maintain her dignity calmly.

On the subject of "the notice to Denmark of the termination of the treaty as to the Danish Sound dues," Mr. Crittenden contended that the President had *no* constitutional power to give the notice, nor could the Senate and the President do it; he affirmed that all political powers delegated to the government of the United States were to be exercised by the *whole* political organization of the government. "The termination of treaties was a political power. The honorable gentleman from Virginia, Mr. Mason, frequently indoctrinates the Senate on the subject of strict construction of the Constitution. Let him point to the treaty. He will find that it gives no power to the President to give the notice. All legislative power belongs to the Congress of the United States, and all powers, great and

small, granted by the Constitution are exercised *by or under* the direction of Congress. *This* was a general principle. Particular powers are given to particular departments of the government; all not so *specifically delegated* are delegated to the whole government—the President, Senate, and House of Representatives.” Mr. Crittenden thought the subject of controversy a very small affair, and wished it had remained in the *dormitories* of the executive department. The whole amount of *Sound dues* we had ever paid was about two thousand dollars per annum; he thought it was not worth while to get up a disturbance throughout the world and make a question about that to which all other nations submitted. “It was no point of honor; it was not wise to make world-wide questions about minute rights, minute quarrels, about which negotiation would cost more than the whole amount of dues. We would not act so, in private life, with a poor neighbor, who almost implores us and pleads poverty. This money is not *exact*ed as a *tribute*. This claim of Denmark is founded on some plausibility,—has, at least, the consideration of the acquiescence of ages. We should not have allowed it to foster up into a question of honor. Denmark is an humble power and a poor power, not claiming the *dues* in a spirit of arrogance; she does *something* in return,—puts lights on her coasts and facilitates commerce; this is the basis of her claim. I am sorry we should have been in such haste to get rid of this payment.”

(J. J. Crittenden to his daughter, Mrs. A. M. Coleman.)

March 7, 1856.

MY DEAR ANN MARY,—I have received your letter relating to your trip to Europe. The idea of your taking your children to a distant foreign country, beyond the protection of your family, must, under any circumstances, be the occasion of much anxiety to me. Apart from this, it must be a source of great concern and importance to you. Its consequences may, and probably will, very materially affect you and your children for *good or ill* through life. Your objects, as I understand you, are chiefly *economy* and *education*. I fear you will be disappointed in the first; and as to the second, I think you will find, in the end, that an education in one's own country (in which they are to pass their lives) is the best of educations. I will not deny that there are advantages in visiting foreign countries, and

*some advantage* from foreign education, especially in the languages; and I think there is not much danger of your acquiring any foreign notions or habits uncongenial to those of your own country. Still, summing up the whole, it seems to me that you would be making an adventurous experiment in removing to a foreign country. I doubt very much if you would not all be homesick, and return from an expensive trip before there was time to realize any real advantage. The article of expense is to be *dreaded*. This can scarcely be calculated with accuracy, because it depends so much upon the peculiar tastes and habits of each individual. It becomes you to be guarded, as it would be altogether disastrous to return disappointed from Europe to an impaired fortune at home. You are quite capable of estimating all this; have *done so*, without doubt, and convinced yourself your plan *is good*. Think over the whole matter again with prudent consideration, and if you are confirmed in your conviction that it is best to take your children to Europe, then follow your inclination. I do not wish you to surrender your judgment to mine. With this I shall be satisfied, however much I may regret to part with you. You must be sure that your means are *adequate*, without making any material encroachment upon your estate. My fear is that you will not realize the pleasure or advantages that you anticipate. I feel bound to say this; *but*, having said so, if you think best to go, I am *not opposed* to it. God bless you all!

Your father,

Mrs. A. M. COLEMAN.

J. J. CRITTENDEN.

(General Winfield Scott to J. J. Crittenden.)

NEW YORK, March 28, 1856.

MY DEAR CRITTENDEN,—More than a month ago I gave Major Crittenden a six months' leave of absence. Observing that he spoke of asking permission to visit Europe, I forwarded the papers, and requested that he might be indulged. Such indulgence, under the army regulations, can only be granted by the President. During the last twelve months but one, in some twenty applications, has been granted.

The day that I received your letter (inclosing the Kentucky resolution) I chanced, at dinner, to mention the compliment, in the fullness of my heart, to another guest, when he instantly suggested that the New York legislature might be induced to follow the lead, and begged me to send the resolution, with a paper of notes. The result is, that Mr. Crosby, in the Senate, yesterday, brought forward the subject, and I have letters this morning saying that the movement will succeed.

God bless *old Kentucky*, and God bless the friend that put her legislature in mind of doing me this great service!

On reflection, I may add that Captain Walker, of the Rifles, is now in Europe, and Colonel Irving's request to be allowed to cross the Atlantic has been refused.

Why don't you and Mrs. Crittenden go abroad this summer? If you do not, you must both come North.

Most truly yours,

Hon. J. J. CRITTENDEN.

WINFIELD SCOTT.

On the 10th of April, 1856, there was a little personal discussion or altercation between Mr. Crittenden and Mr. Seward which is worthy of note. The Kansas bill was before the Senate, and a paper, purporting to be a memorial of Kansas senators, had been presented by Mr. Cass, of Michigan. Mr. Crittenden rose and said he was wholly opposed to the debate, or any debate calculated to disturb the peace of the Union, and if he could prevent it, no gentleman should have the *sinister* advantage of disturbing the country by an affected *patriotic ebullition*. The gentleman from New York, Mr. Seward, was well acquainted with the paper, and called it "the appeal of outraged men—of oppressed men." Mr. C. wished to know why this paper was put upon the honorable senator from Michigan. In order that his great name, his patriotic name, might give force to it. He had known the senator from his boyhood—knew him to be always honest and always patriotic.

Why was this paper given to him, who knew nothing about it, to be presented to the Senate? *Why* did the honorable senator from New York, Mr. Seward, endeavor to make him commit himself before the whole nation and attest by his high authority to the genuineness of the paper? The gentleman from New York had risen on the presentation of the paper, and, with that modesty and forbearance which have ever characterized him on this subject, said, "I will not take from the honorable senator from Michigan the privilege of vindicating the petition he has presented." Was ever design more palpable? The gentleman, Mr. Seward, tells us the paper has been published *fifty thousand times*. Will he please tell us whether these *erasures* were published in the original? *Who* has dared obliterate or erase one word of this petition of distressed men? The gentleman tells us he has never read the paper. How, then, can he know that it is the same paper which has been printed fifty thousand times? Because of my criticisms on



these erasures, the gentleman thinks I am like a county court lawyer. Well, I had rather be a professional lawyer than a professional politician. Here, in my profession, and everywhere I am the same man. Sir, I suspect the purpose of this paper is for agitation, for party, for sectional interests. Sir, I supposed the gentleman could tell us something of these *erasures*. The authenticity of this document has been questioned. I meant no offense by my question; it was made in no spirit of unkindness to Mr. Seward; but, upon adverting to these erasures, I was told that my conduct more became a county court lawyer than—

Mr. Seward.—No, sir: "More became a county court than the Senate of the United States." The honorable gentleman from Kentucky is the last man I would attempt to disparage as a lawyer. I consider him at the head of his profession.

Mr. Crittenden.—*For that* I thank the honorable senator. I do not wish to continue this debate; I have had my time in that. My purpose is not to be a partisan; it is my only ambition now to be a *patriot*. In the little of life that is left me there is no hope of preferment but a simple desire to serve my country honorably. I seek no quarrels; I seek no controversies. Whatever offense there has been on my side or the honorable senator's, has grown out of his explanation, and was a misunderstanding on my part of expressions used by him.

Mr. Seward.—Mr. President, one, two, three, four honorable senators have thought necessary to assail me in the course of this incidental debate. I must say, in regard to the honorable senator from Kentucky, that he has done me all the justice I had a right to demand,—that which belonged to his generous nature. I give my right hand to him in pledge of a continuous friendship and fellowship which have lasted a quarter of a century.

(Abbott Lawrence\* to J. J. Crittenden.)

BOSTON, April 25, 1856.

MY DEAR SIR,—I write to thank you, first, for the well-merited castigation you were good enough to inflict on the senator from Ohio. There is an accepted time for everything, and you selected the right moment to *annihilate* "*Ben Allen*." Our people are delighted; the charm of the thing is in the quiet dignity with which your remarks are characterized. You have done many good things in your day. I deem this last, however, among your best efforts, besides doing high service to the country. And now I wish to thank you for *Frémont's Journal*. I am very happy to possess it. I wish you all a safe deliverance from this session of Congress, and remain, dear sir, most faithfully,

Your friend and obedient servant,

ABBOTT LAWRENCE.

To the Hon. J. J. CRITTENDEN.

(J. J. Crittenden to A. T. Burnley.)

WASHINGTON, 16, 1856.

MY DEAR BURNLEY,—Your several letters, of the 28th ult., and 8th and 11th of the present month, have been duly received, and I am much obliged by the full information they give of the subject to which they relate.

Our intercourse has been such for a long time past as to make you perfectly acquainted with my disposition and feeling in respect to a nomination to the Presidency, and in regard to the Presidency itself. There has been no reserve between us on the subject, and you know what my sentiments in relation to it have been and are.

That the Presidency is an office neither to be sought nor declined, is a sentiment that accords so well not only with my judgment, but with my *natural* temper and constitution, that I adopt and follow it rather from instinct than from any nobler or more patriotic consideration. It costs us no exertion to follow where our nature leads. I have never, therefore, *put forward* any *pretensions* to the Presidency, much less pressed them; nor have I ever endeavored, from any selfish feeling, to put back the claims or pretensions of any man. But, notwithstanding all this, I have a pride of character which does not permit me to humble myself so far as to shrink from or to decline even the Presidency itself, if such an honor and station should unexpectedly be offered me. But I am no candidate,—no seeker for the office. I have said *no word*, taken no step in that direction. Nor will the nomination of another be any disappointment to me. I can willingly witness the nomination of another, and support that nomination, too. And of all the persons who have been named for that high office, I prefer our friend Davis. I would throw no obstacle in his way to a nomination, and would support that nomination with all the little power or influence I may have. I verily believe that Davis would do the same by me. And is not this all that could be required of either of us? I can say further, that if I could, by my word, close up all uncertainties of the future by accepting or making Davis the successor of Pierce, I would do it with an unalloyed feeling of gratification.

I do not think that Davis's friends ought to have sought in the *Kentucky* Convention for him any expression of *preference* over me. It is true that I had avowed no pretensions; but, like him, I had been spoken of for the same high office. *Seniority*, at least, was on my side; while more than willing to see Davis advanced, I might naturally feel some mortification at being passed by unnamed and as forgotten. His friends did not manage the thing well. Do not believe that any unkindness

has been created in my mind by this proceeding. If Davis can get the nomination of the national convention I am content. I wish he would find some occasion to visit this part of the country, and especially Pennsylvania and New York. He has been long out of public life, and is not sufficiently known or appreciated there. He, I believe, is less favorably considered there than even I am. This is owing, in some degree, at least, to his being personally and politically less known. I think Davis has some peculiar claims on the American party, and I am sincerely anxious that he should be properly known and appreciated. You well know how to estimate what I say, because you know how little I care for myself in this matter, and how much I care for my friends in all matters. I am as willing as any to serve friends, but no *surrendering* must be required of me. But I must quit this subject. So far as concerns me, I have nothing to complain of the convention that lately met in Frankfort, or of its proceedings. Your course was such as became you, and you said nothing for me or in relation to me but what I approve. From my not writing to you you may infer, as the truth is, that I wrote to no one, attempted to influence no one, and took no part whatever in respect to the convention. Mr. Davis's friends and mine are to a great extent the same, and I hope they may remain so, and that no paltry jealousy will be allowed to produce any alienations.

I must close this letter. I wish you were coming here instead of going South. Many are the inquiries made about you, and many are they who would be delighted to see you here.

I am going out to dinner and the hour has come.

I send you the copies which you request to be returned. I owe many letters to home folk, and I intend to pay them very soon.

Give my kindest regards and love to all.

A. T. BURNLEY, Esq.

Your friend,

J. J. CRITTENDEN.

PHILADELPHIA, May 28, 1856.

DEAR SIR,—At a meeting of citizens of the city and county of Philadelphia, convened at the county court-house, Saturday evening, May 27, the following resolution was submitted by William S. Pierce:

*Resolved*, That the conduct of the Hon. John J. Crittenden, of Kentucky, in seeking to protect the Hon. Charles Sumner from the murderous assault of Preston S. Brooks, should receive the warmest thanks of every friend of humanity as strongly

and strangely in contrast with the conduct of other witnesses of that cruel and bloody scene.

The resolution was unanimously adopted, and the officers of the meeting were instructed to forward a copy of the same to you, which we have the honor now to do.

GEORGE H. EARLE, *President*.  
 JAS. M. TRUMAN, } *Secretaries*.  
 LEWELLYN PRATT, }

Hon. J. J. CRITTENDEN, *United States Senator*.

Mr. Crittenden.—If I understand my friend from Georgia, he admits that improvements for the common defense are national objects, and that the public money may be expended in constructing such fortifications. Now, I ask him if the benefit of that is equally distributed? This constitutional idea seems to demand not only that the system of taxation shall be equal, but that no man shall be required to pay more than his adequate proportion of taxes. If *that* is not sufficient to produce all the equality intended by the Constitution, and if we are compelled to make no other improvements than those, the benefits of which can be distinctly traced equally to every tax-paying citizen of the United States, *where* and when is there an improvement that can be made? On such a theory this government is a barren, lifeless trunk, forbidden to do good, forbidden to advance the great national necessity which has created it, and which pays for it. On this principle Congress can do nothing. Let us apply it to the admitted constitutional power of improving our seaboard frontier, so as to guard against the incursions or inroads of foreign warfare. Are they equally beneficial to all the people of the United States? If, in regard to the expenditure of money for internal improvements, we are to individualize ourselves and look exactly to the equal benefit which every one is to receive, why not apply the same view to the admitted constitutional construction of fortifications? Why may I not say to the senator, on his own principle, "You may make fortifications, but they must be national?"—and I include in that term an equal benefit, an equal security, to every one in the country.

Now, can you say to me that the fortresses you have erected in California are necessary to my security in Kentucky, equally so, at least, as they are to the people of California? No one can say that. But for your railroads, and telegraphs, and steamers a war might go on for a year in California and never be heard of in Kentucky; it might rage for years without ever reaching me in its remotest consequences or remotest evils. If you demand, as an essential element, in every constitutional expenditure of money for such objects, that the benefits shall

be felt equally in all localities, no work can ever be done; your hands are palsied, and you have a government the wonder of the world,—a government which can collect money unlimitedly, but which can appropriate none of it to the advantage and improvement of the country. It seems to me this would reduce us to a very low level,—make us perfectly impotent and incompetent in those functions of government which are esteemed useful and beneficial in other countries.

Mr. President, all the means of giving prosperity to the country and multiplying its people are, in some sense, the means of defending the country. They give you that blood of which the gentleman says every drop should be poured out, when it is necessary, for national purposes. When we consider ourselves as one people, we can say, as the gentleman does, and as I concur with him in saying, that a fortification in San Francisco is a benefit to me. Why? Not because you can trace it by any arithmetical calculation of interest; not because you can affix upon me or to me a quantum of benefit exactly in proportion to the amount of taxes I pay, but because it contributes to the exaltation, and protection, and wealth of my country. I am willing to consider that what is done for the benefit of one section is an advantage to all, because all constitute at last one great whole,—one great Union,—and what benefits one limb benefits the whole system. This is the view I take of the matter. I do not see the difference between the principle upon which fortifications are to be constructed and the principle upon which internal improvements are to be made. You are to consider it in a national point of view, that what benefits a part benefits all. This applies as well to roads, canals, and rivers as to fortifications. But, in another point of view, and in every point of view, is not the Mississippi River of importance to the national defense? Suppose that Texas is assailed in time of war,—a weak portion of the Union,—how are you to get to her? how are you to carry your troops and munitions of war to her assistance? The most convenient, and, in fact, the only way of carrying them expeditiously, must be through the mouth of the Mississippi River. May you not make great military roads? Why, sir, Mr. Monroe, one of the authorities cited by the senator (even when he was in the act of vetoing bills of internal improvement), admitted that a military road could be made. Here is a great military highway. It is not only your mighty commerce that must necessarily go to all the world through the mouth of the Mississippi, but your military defenses, your soldiers, your armies. How are the men of the West to be transported along your coast when their aid is necessary to the defense of the country? It seems

to me this should be considered a national object. There is not one of the great men alluded to by the senator from Georgia who has not admitted the power of making national improvements. General Jackson most distinctly admitted it. There is not one who has conformed his action, as President, to the principles announced by the senator from Georgia. The Congress of the United States have, upon solemn argument and deliberation, announced this principle. On the score of authority there is nothing to be gained by those who argue against the unconstitutionality of such works.

## CHAPTER VII.

1856-1857.

Kansas—Naturalization—Presidential Election—Claims of Revolutionary Officers—Letters—G. T. Curtis to Crittenden, Crittenden to his Wife, Letcher to Crittenden—Senate, February 4, 1857, Pay of Lieutenant-General—Heirs of the late Colonel John Hardin—Letters—In Senate—Land Route to California—Letter to Hon. R. C. Winthrop as to the Degree of Doctor of Laws just conferred by Harvard—Letter to J. R. Underwood as to Senatorship.

ON the 10th of June, 1856, Mr. Crittenden offered the following resolution in the Senate:

*Whereas*, dangerous popular disturbances, with insurrection and obstructions to the due execution of the laws, unhappily prevail in the Territory of Kansas; and *whereas*, it is of great importance that the military forces which may be employed for the suppression of these insurrectionary disturbances, and for the restoration of law, peace, and protection to the good people of the Territory, should be conducted with the greatest discretion and judgment, and should be under the command of an officer whose rank and reputation would render his services most useful and beneficial to the country in the present crisis,—a crisis requiring firmness, prudence, energy, and conciliation; be it therefore

*Resolved*, by the Senate of the United States, that the President be, and is hereby, requested to employ the military services of Lieutenant-General Scott in the pacification of Kansas, and the immediate direction and command of all the forces to be employed for that purpose, under such instructions and with such authority and power as the President can and may think proper to confer upon him.

Mr. Crittenden made a few remarks on presenting this resolution. He thought the high station and character of General Scott would enable him to do more than any other man. The spectacle which existed in Kansas was enough to make us ashamed of our country. It might, indeed, be called *civil war*, and no effective step had been taken to remedy the disgraceful evil. The peace of the whole country was seriously threatened.

We had had enough of debate. It had been rather of a character to irritate and provoke than to contribute to impartial judgment. The great question could not be thrown off on the State government. The Senate was responsible. It was useless to show the measure of wrong done, on one side or the other. The aim should be to give peace to the country, North and South. Was the arm of the people of the United States paralyzed? Had they no power to assert the majesty of the laws?—then let them no longer wear a crown which only deludes while it promises protection. “All know,” said Mr. Crittenden, “on which side of the controversy my sympathies are. They are exactly where my education and the habits of my life would naturally place them; but I am no partisan; I have lived to learn, through the course of a long and active political life, something more of forbearance, something more of prudence, more, I hope, of patriotism than is prevalent in these days of active party strife. General Scott, in going to Kansas, would carry the sword in his *left* hand, and in his right hand ‘*peace*,—gentle peace.’ His great name would speak trumpet-tongued for peace, his words of reproof would be sharper than the sword to the refractory and rebellious, and his words of cheer would comfort and strengthen good men, who had been drawn unwillingly into this strife, or made its victims. His character is marked with integrity, impartiality, and justice. Those who are lost to a sense of duty will know that they will be made to feel the power of the sword of this great people in his hands. He is a man of conciliation, and has been as successful in quieting the minds of the people, thus making peace, as he has been in the field of battle. It would be better to employ the name of a great warrior to make peace than the sword. If there was any justly obnoxious laws in Kansas they should be repealed.”

In 1856 there was considerable excitement throughout the country on the subject of the naturalization laws. Many were opposed to the facilities of access to citizenship which these laws afforded to aliens. Mr. Crittenden considered it a priceless boon, not to be lightly bestowed upon all who asked it. He declared that a great foreign influence was already exercised in our elections. The candidates for the Presidency were voted as stock in market. Who is the German vote going for? One



day it was said for Buchanan, the next day for Frémont; and this was the scale by which the chances of a presidential election were rated! He considered this a shame to our Americanism. As long as a foreign population could be absorbed in our own, and be identified with it, all might go well; but it was already with us a distinct element, and dangerous. The great armies engaged in the Eastern war were about to be called home and disbanded. These men,—many of them,—imbued with the spirit of bloodshed, and begrimed with the dirt and vice of a camp, would be pushed off upon us. They were instruments of war, and not of smiling peace. Foreign nations, inimical to our government, might see the practicability of destroying our institutions by pouring in this worthless horde of paupers to become citizens. Mr. Crittenden was opposed to this not on any party ground, but because Providence had assigned to him the lot of an American citizen with all its grand rights and privileges. We were now about to enter upon a national contest for President, and slavery and anti-slavery were the watchwords,—*nigger worshippers*, as they were called on one side, and some term of reproach on the other. These were the sounds of the mighty contest. Should a great national question be conducted under such auspices? Mr. Crittenden thought our fellow-citizens of the North should take a more conciliatory view of this subject. Unquestionably the *assault*, or the men who led it on, came from the North. Who of their representatives had been heard to say to his brethren of the North, “Be reconciled to thy brother?”

Mr. Crittenden was for dealing in a large and liberal spirit with all those who had just claims upon the government, and above all others he advocated the claims of the old soldiers of the Revolution and their descendants. Congress, under the advice of General Washington at the crisis of the war, passed a law promising the officers of the army who continued in the service until the end of the war half pay for life; subsequently these officers were authorized to commute this claim of half pay for life to full pay for five years, and for that Congress agreed to grant them a certificate of debt, payable ten years afterwards with interest. The war had closed before this last offer was made and the country was exhausted. The officers

were without means, almost without hope, and many of them agreed to accept this commutation. In 1856 a bill was introduced to place those who accepted the commutation upon the same footing with those who did not commute, deducting the amount of the commutation from the half pay for life. This *bill* met with considerable opposition. Many contended that it was a mere debt of gratitude—a gratuity. Mr. Crittenden spoke eloquently in favor of the bill. He contended that it was a moral obligation to make good to the uttermost obligations, founded on such meritorious considerations, so soon as we were able to do so. These officers came out of the war *victorious* but *naked*, triumphant but penniless. This tempted them to receive the commutation. If credit was given for *that* on the account, there was no restraint in the Constitution to prevent the government from satisfying their sense of moral obligation by paying the full balance, now that the country was prosperous, and able to pay. No national debt is recoverable by law; the creditor must depend on the sovereignty and on the gratitude of the government. There is a high obligation to satisfy this debt of the Revolution; from *that* we derived our being as an independent government. The transactions of those days were hallowed. It was a sacred generation, a period sacred to liberty; everything belonging to it should be sanctified to our feelings. We should make good to these old soldiers every farthing to which they are entitled. It was in 1783 that this commutation of five years was accepted, and ten years were to elapse before the principal was to become due. The country was a confederation—the government weak and impoverished. The wisest men could not foresee what was to be its destiny; it might fall to pieces from inability or want of cohesion at any time; it had no credit. What was the value of these certificates payable ten years afterwards? What did the needy soldier do with them? Sold them for a merely nominal price; they depreciated day by day. We should make to these officers some indemnity for the losses sustained. I will oppose any amendments to the bill: I go for it as it is. If sent back to the House, want of time will be fatal to it.

(J. J. Crittenden to his daughter, Mrs. A. M. Coleman.)

WASHINGTON, July 4, 1856.

MY DEAR DAUGHTER,—I inclose this in a letter to our minister in Paris, the Hon. John Y. Mason, in which I have apprised him of your trip to Europe, its objects, etc., and recommended you to his kind attentions and to his official *aid* and *protection* in any way that may be useful to you, and under any circumstances of difficulty that may possibly occur to you. I have said to Mr. Mason that I had told you to appeal to him in any case of difficulty. The day we parted I left New York for Washington, and have since been so much engaged that time has stolen away from me, and I fear my letter will not reach Paris in time for you. My thoughts and wishes have been *about* and *with you* every day and night since you sailed, and if they could propitiate the sea and the winds for you, you would have a safe and pleasant voyage. Whilst I write, you are in the midst of the *mighty ocean*. Its mysteries and its terrors are, to my imagination, like those of eternity. May it be calm and kind to you, and waft you and your children safely to your destined harbor. You do not know, my dear daughter, the anxiety with which my thoughts follow you and will rest upon you during your absence. You will be in a strange land, among strange people, with strange habits, and without any experience of European society to guide you. You will have many difficulties, many trials, which will require all your prudence and all your intelligence. I have great confidence in you,—I could not have more; but I do not know the dangers and difficulties that may surround you in your new and untried situation; therefore I am most anxious about you and your children. Your mother sends much love to you and to the children. Accept for yourself and them my love also. Farewell, my dear daughter, and may God bless and protect you.

Mrs. ANN MARY COLEMAN.

Your father,  
J. J. CRITTENDEN.

(J. J. Crittenden to R. C. Winthrop.)

WASHINGTON, July 6, 1856.

MY DEAR SIR,—Your letters are always acceptable, but that was particularly so in which you suggested the propriety of sending General Scott to Kansas to restore peace to its troubled borders. This letter was received while I was diffidently contemplating the same thing, and it at once determined me to attempt it, and to offer the resolution which I moved in the Senate; and when it was first offered it appeared to be received with general favor; but the reflections, and, I suppose, the *con-*

*sultations*, of the night, brought forth, next day, a strong opposition. The source of this was no doubt in the White House and its appurtenances. It was said to be an *encroachment* upon the rights and powers of the President. He, however, has not altogether disregarded the suggestion contained in the resolution; for, though he *would not* send Scott, he has sent the next best man, General Persifer Smith; and from his mission a good result may be expected. Public affairs are in a wretched condition, and the future appears to give but little promise of any relief. I had a letter of the 2d from Governor Letcher. He is a shrewd observer and calculator of political events. He says Buchanan is too old to carry the weight that has been packed upon him; that Fillmore will carry Kentucky, and is gaining everywhere. I *hope* he may be right. I have not his confidence, but am not *without* hope. Fillmore's progress through New York has quickened his cause. What think you of this, and what chance has he in the North? I will be gratified to hear your views. Massachusetts can give light to us, if nothing more.

Believe me, your friend,

Hon. R. C. WINTHROP.

J. J. CRITTENDEN.

(George T. Curtis to J. J. Crittenden.)

BOSTON, July 10, 1856.

MY DEAR SIR,—I am under great obligations for your kind favor of the 16th inst. I scarcely know what to say to you about the New England States. Maine, I think, will go for Frémont; New Hampshire may be carried by the Democrats, but it will be a hard struggle. Vermont I consider safe for the Republicans, and probably Rhode Island will go that way. In Connecticut, there is a strong body of Whigs, and something of a national section of the American party. If they unite their forces upon Fillmore they will be likely to give him the vote of the State. In Massachusetts we are in a very uncertain condition. The State government is in the hands of men of the American party, who are in the market for votes to retain their places. The last news of them is that they don't intend to go over to Frémont; but I consider them very unreliable. The Whigs "*pure*," who cast fourteen thousand votes at the last election of governor for a district candidate of their own, have decided to hold a State convention on the 2d of September; but their course is uncertain. At a meeting of about one hundred leading Whigs from all parts of the State, held here last week, to advise with the State Central Committee, I was gratified to find a thoroughly national tone; and I think that a majority of the party will be for nominating Fillmore. There will be a *split*, and a portion of those who now call themselves

Whigs will go over to Frémont at once. This portion is now in favor of passing a resolution that each Whig shall vote for such candidate as he likes best. The object of this is, that they may vote for Frémont. My belief, however, is that, after a hard fight, Fillmore will be nominated in due form by a majority. The alternative for the National Whigs is to vote for Buchanan. The great difficulty in our way is, that we cannot make an arrangement with the Americans to support Fillmore without bargaining with them about State officers. Men of character will not do this! "*Coalitions*" have become rotten in the nostrils of our people, and been denounced by the Whigs in the most emphatic manner ever since a *coalition* put Sumner into the Senate. But for this difficulty, many of my friends think the State could be carried for Fillmore. If this can be surmounted, there is a chance, but not a hopeful one. The anti-slavery sentiment is, as you are aware, excessively strong, even violent. My own feeling about the present election is, that the first duty to be done is to defeat this sectional, dangerous, and unprincipled combination called the Republican party, and that it is, therefore, a case for voting on the strongest side. If I should find myself voting for Buchanan, this must be my excuse and my vindication; but if my vote for Fillmore seems likely to be as effectual for what I regard as the great object, I shall, of course, throw it in that direction, and with it all the little influence I possess. You, my dear sir, in the ordinary course of nature, may not have to endure quite so long as myself the terrible calamities that may be in store for us; but let us hope that the wonderful adaptation power and theoretical stability which our fathers gave to this admirable system of government, may enable it to withstand the *shocks* that are approaching. Believe me always,

Faithfully yours,  
GEORGE T. CURTIS.

(J. J. Crittenden to his wife Elizabeth.)

BOWLING GREEN, October 9, 1856.

MY DEAREST WIFE,—I have received your letter of Sunday last with great delight, and hoped to receive another here, but in this I have been disappointed. The day is passed, and it has been quite an exciting one. Mr. Ewing, from Nashville, met me here for the purpose of replying to me. I assented, of course, and we had a debate. My friends are satisfied with the result, and so am I,—though Mr. Ewing acquitted himself well and like a gentleman.

To-morrow morning I start to Russellville, and from there I will write to you again. I am pleased to think that I am ap-

proaching the end of my engagements and may soon turn my face homewards. I should seem to flatter you if I could tell you how much I want to see you, and how impatient I am to be with you.

Gentlemen are in my room from whom I have begged a moment to write you this note. I was received here with great display and in the most affectionate manner. I am almost overwhelmed with kindness.

Farewell, my own dearest wife. All well.

Mrs. ELIZABETH CRITTENDEN.

Yours,

J. J. CRITTENDEN.

(J. J. Crittenden to his wife Elizabeth.)

LOUISVILLE, October 19, 1856.

MY DEAREST WIFE,—I arrived here last night too late for the cars to Frankfort, and now having been prevailed on to speak here to-morrow night, I write to beg you to join me here to-morrow evening. I will engage a room at the Galt House. Do not fail to come. I never in my life wanted to see my dearest wife so much. Governor Letcher's presence is much desired here,—he can be your attendant. If not, Robert Crittenden or Andrew McKinley must come with you. We will return to Frankfort just when you please, and stay here just as long as you please. Prepare yourself accordingly,—but come you must. I would hardly be another day without you for the Presidency itself. I suppose I shall be obliged to commence speaking before the arrival of the cars from Frankfort, and cannot therefore meet you, as I would wish to do. But come at once to the Galt House, where you will find a room prepared for you, and where I will join you as soon as possible. I will give orders for an oyster-supper to be ready for you as soon as I return from speaking. If you should disappoint me by not coming, it will almost kill me; but I will not anticipate any such misfortune. My trip has been in every respect gratifying to me, and I was never in better health than now. I insist upon Letcher coming with you; I want him very much, if but for a day.

Farewell, my dearest wife, the thought of meeting you so soon fills my heart with delight.

Mrs. ELIZABETH CRITTENDEN.

Your husband,

J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, October 20, 1856.

DEAR CRITTENDEN,—I have yours of yesterday, and I am deeply concerned that it is impossible for me to join you to-

night in Louisville. The truth is, I am tied *hand and foot*, and can move but in one direction. My wife goes to Garrard this evening, and this week, in that region of country, I am forced to attend two mass-meetings. I have a thousand things to tell you, which will be of no sort of *interest* after the election. When in Philadelphia I saw the game fully, and told our friends that money and fraud would beat us in the State elections. Our visit had one good effect,—*that was* to prevent any miserable bargain to unite in the electoral ticket with the Frémont party. Hit or miss, win or lose, I want our party to stand before the whole world a grand moral spectacle of integrity and patriotism. I saw *Fillmore*,—*he was calm*. I gave him to understand that we would lose the State election in Pennsylvania. He was evidently surprised. I told him also I entertained *great fears* of New York. Our leaders there say “there is no doubt about the State,” *but I know better*. Fillmore expressed the greatest anxiety for me, and Corwin, and yourself to speak in Rochester, and two or three places in that region. I was *almost forced* to stay last Monday in Rochester. I think, and Fillmore thinks, a speech from you would make a difference there of a *thousand votes*. Suppose you take a run there; you have no idea of the wonderful effect your visit would have. They can give you an audience in Rochester, upon one hour’s notice, of three thousand. Speak also in Buffalo. Telegraph Corwin to join you. Do for the sake of the Lord and country take that trip.

Mrs. Crittenden will be with you to-night.

Your friend,

Hon. J. J. CRITTENDEN.

R. P. LETCHER.

(In Senate, February 4th, 1857. Pay of the Lieutenant-General.)

Mr. Weller.—I am instructed by the Committee on Military Affairs, to whom was referred the message of the President of the United States, communicating the correspondence between the Secretary of War and Lieutenant-General Scott, to move that it be printed.

Mr. Crittenden.—Is *that* the document which is desired to be printed (alluding to the large mass of papers on the secretary’s desk)? It is quite evident, if that document is to be printed, that this call for information must altogether defeat the bill to which it relates. It has been three or four weeks since the bill came from the House of Representatives, and now we are asked to print that large document. I hope the Senate will not order it to be printed, but will act with dispatch upon the bill. The evident effect of printing is to defeat the bill. I hope the matter will be referred back to the committee, with instructions to report promptly. I shall vote against the publication. I regret very much what has been stated here as to the personal

character of a portion of the correspondence. No doubt the senator from Tennessee expresses himself correctly when he says both the gentlemen ought to regret it. What there is blamable in the correspondence is the expression of too much personal feeling and personal language. The senator says those officers have chosen to have such a correspondence, and we ought therefore to have no hesitation in publishing it. I am sure my friend from Tennessee would not wish to publish every gentleman's correspondence. These officers have fallen into a passionate spirit in a controversy respecting a doubtful act of Congress; that is all. In that discussion they have become personal. Now, who is to be benefited by this publication? It might gratify the curiosity of the world; but is it our place to do this in transactions of this character? Shall we hold it up to the gaze of the curious? Is it for us to call attention to it? Shall we not rather let it pass? Let us not see such things; let us never propagate them. This is my idea of the propriety which becomes the Senate of the United States. We are here for the transaction of public business, not for interfering in private quarrels and publishing angry correspondence, which may occur even between the best-tempered gentlemen in the world. There is a want of discretion; let it be buried. It profits nothing in the discussion before us. How can this correspondence contribute to our understanding of the subject? We learn that the officers of the government who have to execute the laws differ about their construction. We do not undertake to decide what construction is right. We take no part in that; we simply take up the subject and undertake to settle it in our own way, as we ought to do, our laws being ambiguous and imperfect. We condemn no one's opinion. We do not say that General Scott or the Secretary of War decided correctly, or that either decision shall be final. We learn from the controversy that the laws are ambiguous. We want to make them clear and to fix the pay, and to decide all the allowances to which the rank conferred on General Scott entitles him. This is the question we have to attend to here. We should take no part for or against the contestants; but, departing altogether from the doubtful question of construction, we propose to make a *new law* on the subject, in respect to which there shall be no doubt. How can it serve our purposes to be ransacking the departments and entering into the private quarrels of these gentlemen? We have simply to say what pay we intend General Scott shall receive—an open, an abstract question. If these officers have been guilty of indiscretion, shall we make it known to the world? Is this the way to deal with friends—with public officers? I think not. I hope it will not be printed.



Mr. Crittenden took a warm interest in the claims of old soldiers upon the government. He believed that such claims should not be regulated by the strict letter of the law ; but that a liberal construction and liberal action should be manifested by the Senate. The House bill for the relief of the heirs of the late Colonel John Hardin had been adversely reported upon by the committee. Mr. Crittenden stated that General Wilkinson, in command of the American forces at Fort Hamilton, where Cincinnati now stands, employed Colonel Hardin to go on a mission to the Indians. He promised Colonel Hardin a guinea a day during his absence, and if he *perished* in the undertaking (a probable event), that his widow should receive during her life two hundred dollars a year. Hardin undertook the mission. Before starting he wrote to his wife : "A guinea a day is nothing when I think of my wife and children in Kentucky. I wonder at myself that I think of engaging in this expedition ; but I am promised that in the event that I *perish* in it you, my wife, shall be provided for—shall have two hundred a year for life." He *went* and *perished*. The question was whether Congress would recognize this engagement of General Wilkinson as valid. General Wilkinson was at the head of the army, and vested, of course, with discretion. Hardin went with a full knowledge of his danger ; he was chosen because of his knowledge of the Indians and his known intrepidity. Mr. Crittenden argued that the contract was binding on the United States, a contract having nothing in view but the public service, and offering reward for nothing but the blood and death of the man employed. The whole amount after the lapse of twenty-eight years, was perhaps five thousand dollars. The widow *is dead*, and in the grand council of the nation her death is pleaded as an excuse for not paying her representatives. Did justice die with her ? Such a plea is contrary to every idea of human jurisprudence and to every sense of natural justice. His is not the first nor the last blood of that family which has been shed in the cause of the country. John Allen married one of the family and laid down his life at the battle of the River Raisin. This man's life was worth thousands and tens of thousands to his country. John Hardin, who perished at the battle of Buena Vista, was another descendant of that family. God knows, if blood is of any con-

sideration, the country have had enough poured out from the veins of that family.

It will, perhaps, be gratifying to know that Mr. Crittenden's amendment was agreed to, and the bill was passed.

On the 29th of February, 1857, the subject of the *right of suffrage* being under consideration, Mr. Hale stated that he had voted for an amendment merely to obtain the privilege at a future day of moving a reconsideration, Mr. Crittenden rose and said, "he considered this course of Mr. Hale neither fair nor parliamentary." Mr. Hale replied that it was the first time in his legislative life that his conduct had been impugned as wanting in fairness or obedience to parliamentary law; that there was no man in the Senate from whom a reproof of that kind would fall with more weight than from the honorable senator from Kentucky; "but, sir, notwithstanding his judgment and his censure, I appeal to the Senate, and I avow that the course I took was perfectly fair. Sir, I do not feel indifferent to censure coming from such a source. I am free to admit, that there is no man with whom it has ever been my lot to become acquainted, from whom I could receive such a reproof, from whom it would fall with more weight, *than* from the senator from Kentucky; and I know (because I believe in the calmness of his reflection he is not only honest, and honorable, and upright, but kind) that I can hereafter call upon him to reconsider the very sentiment which he has avowed, and that he will not persist in visiting so humble an individual as myself with the weight of censure coming from such a source."

Mr. Crittenden.—Perhaps I *did* express myself a little too hastily; it was not my purpose to say more than to state the facts of the case. I intended no unkindness. I may be wrong, but I did consider it unparliamentary. It never happened to me to do this in all my life; but my opinions may be formed from too limited a sphere of observation. I know no gentleman in the Senate to whom I would not sooner give any just cause of personal offense than to the senator from New Hampshire. His course has always been respectful and conformable to the order of the Senate. I acknowledge this, but I must tell the gentleman, in all candor, that on this occasion I think as I have stated; others, with as much integrity, may think differently.

(G. T. Curtis to J. J. Crittenden.)

JAMAICA PLAIN, MASSACHUSETTS, 1857.

MY DEAR SIR,—We have here, of course, only the confused accounts by the telegraph of the decision in Dred Scott's case. I want to know what you and Badger think of the Chief's opinion with respect to its ability and reasoning. How will it stand in the judgment of lawyers? The public feeling in this part of the country is much shocked, but I think there is a general consciousness that the subject has ceased to be of any practical importance. The worst of the whole matter is, that the people of the free States must regard the decision as purely a political one, and thus lose their remaining confidence in the court. It is lucky for Mr. Buchanan that this case was not decided a year ago. If it had been, in my belief, nothing on earth could have prevented Frémont's election. I am pained to see (if the telegraph tells the truth) that there is a squabble among the judges as to who shall have the last word. I suppose Daniel and Campbell anticipate flings from McLean, and wish to pay him back.

I am sure they cannot anticipate any "bunkum" from my kinsman, though they may like to answer his law. But this "casting of the parts," as poor Webster said about Hayne, and Benton, and so on, looks like bad blood.

Yours always truly,  
GEORGE T. CURTIS.

(J. J. Crittenden to his daughter, Mrs. A. M. Coleman.)

February 10, 1857.

MY DEAR DAUGHTER,—Your frequent letters have given me great gratification, but attended with no little self-reproach at my delinquency in the *correspondence*. You will not permit yourself to believe that it results from any want of affection. You have every title to my love, and possess it in the fullest measure of a father's heart. Be assured of that. My time is much occupied; but this is no excuse for not writing, and I will endeavor to do better in future. Your late letter informed me of the conduct of Mr. Dallas, which has greatly annoyed and provoked me. I send you letters from Mr. Marcy, Secretary of State, and Mr. Guthrie, Secretary of the Treasury. My dear daughter, these letters will secure you an introduction at court. I hope you will use it forbearingly and with discretion. Let it not be said that you are a seeker after princes or palaces, or that you estimate yourself the more because you are received by them. The privilege of admission at court is only to be valued as a recognition of your estimation and standing *at home*. It is that *estimation* which has entitled you to *presenta-*

tion, and this is to be valued by an American lady *far above* the privilege of flourishing for an hour in the presence of kings and queens. This should only be *sought* as a matter of curiosity, or *valued* as a public attestation to your *worth* in your own land. In your situation, it is necessary that you should be circumspect, prudent, and cautious, for your own sake and the sake of your daughters. They are charming girls, but without knowledge of the world; and the duty devolves upon you of guarding them against all the flatteries and temptations of *court society*. The attentions of the gaudy creatures of a court, titled or untitled, are rather to be avoided. It is to call your attention to these things that I mention them, and not because of any want of confidence in you or in your discretion and sound judgment. Your brother George is far away from us, in command at Fort Craig, on the Rio Grande. He has been promoted to the rank of lieutenant-colonel, and for the next two years he will be in command at Carlisle, Pennsylvania. After the long and hard service to which he has been exposed, he is entitled to the repose this command will give him. Congress will adjourn on the 23d, and I feel increasing impatience for home. I was opposed to the election of Mr. Buchanan, but it gave me no personal concern. We are old acquaintances, and, I may say, *personal* friends. We differ *only* in politics. Your mother sends her love. Tell Crittenden I am highly gratified at your account of his good conduct. Farewell, my dearest daughter, and may a kind Providence protect and guard you well.

Your father,

Mrs. ANN MARY COLEMAN.

J. J. CRITTENDEN.

In 1857 the post-office appropriation bill was before the Senate, and Mr. Weller, of California, was a warm advocate for establishing a communication by mail across the continent. Mr. Crittenden opposed the bill. He said:

The cardinal principle at the bottom of the post-office department was to make the income of the department pay its expenses. The proposition was to have a four-horse line of stage-coaches from some point on the Mississippi River to San Francisco, through a desert country of two thousand miles,—worse than that, through a *hostile* country. He said there was already a line established by land, and one by sea, and the Union could not afford to pay for a thing which makes nothing like an equivalent for what it costs. My friend from California, in the course of his argument, has said a great deal about Kentucky and the benefit her people would derive by

going to California, and he wants to know if I would advise one about to take the journey to go by sea and not by the stage route. I will tell the gentleman what is the most honest and unselfish feelings of my heart. I would say to such a one, "Stay where you are in old Kentucky." The senator, Mr. Weller, says he has seen thousands who have escaped from Kentucky and blessed God when they got to California. Now I will tell him a story I heard, premising that I never knew a Kentuckian, no matter *where* he went to, who did not wish to be back in old Kentucky. I refer to one of my constituents, described to me as a *six-foot fellow*, who came, with his rough shoes, stalking into one of the hotels of San Francisco. There was a map of the United States hanging on the wall, and some gentlemen were examining it; he knew they were talking of different parts of the United States; he stepped up and said, "Will you be so kind as to inform me if old Kentucky is on that map?" "Yes," was the reply. "Well, be so good as to put your finger on it for me; I want once more to look on God's land." This is how the people feel who go from Kentucky.

(J. J. Crittenden to Hon. R. C. Winthrop.)

FRANKFORT, July 9, 1857.

MY DEAR SIR,—*Dr. Crittenden*,—ay, sir, a "Harvard Doctor of Laws," gives you thanks for your most friendly note of the 20th ult., inviting him to your "College Festival on the 16th of the present month." To an invitation so acceptable and agreeable in itself he will not answer that he declines, etc.; but it is a serious and sad truth that he cannot comply with it.

Quitting the Doctor and the third person, let me say for myself that it would be the greatest gratification to me to be with you on the occasion. I should enjoy again the pleasure of meeting yourself and others whom I have long learned to esteem and admire, and I am also quite certain I should form new acquaintances whom I would remember with pleasure ever after. I wanted to be with you at your Bunker Hill celebration, but could not, and now again I cannot be present at your "College Festival." These are, indeed, real disappointments to me, which I mitigate as well as possible by promising myself that I will, sooner or later, have some indemnity for them by a long and social visit to Boston. In the mean time I must be patient. "A Doctor of Laws" ought to know how to rule himself and abide his time.

I am always your friend,

To Hon. ROBERT C. WINTHROP.

J. J. CRITTENDEN.

(J. J. Crittenden to J. R. Underwood.)

FRANKFORT, September 6, 1857.

MY DEAR SIR,—I have no fear that you will not appreciate liberally and properly my motives for addressing to you this letter.

To comply with the wishes of my friends I have consented to their presenting me as a candidate for the Senate of the United States, if, upon the meeting of the legislature, they shall then think it advisable and proper.

Though I cannot but confess that the station is desirable to me, I was loth to commit myself to any course that might involve me in contention of any kind with you or other friends. In respect to yourself this reluctance was frequently and openly expressed by me. I was quite unwilling to be regarded as your *personal opponent*, or that any use which might be made of my name should be attributed, in the remotest degree, to any feeling on my part of personal unkindness or opposition to you. From that principal reluctance I have been to some extent relieved by information, which seemed reliable, that it was not your intention to be a candidate for re-election. This information may be altogether incorrect, or, if not, you may, as you have a perfect right to do, have changed your views and determined on a different course.

In this uncertainty, therefore, whether you will be a candidate, or whether my friends (I being absent at Washington) will think it proper to present me as a candidate, I desire to say to you that, whatever the event may be, I hope that I will not be regarded as your personal opponent, acting in any sort of unfriendliness or personal opposition to you.

Nothing could be more unjust than such an imputation, nor more adverse to the feelings with which I truly regard you. If it so happens that our names shall be placed in competition by our political friends, I trust that it will be regarded by them and by us as a public question, and not as a personal controversy between you and me. And I beg you to be assured that neither that question, should it occur, nor the issue of it, whatever that may be, shall ever provoke in me any sentiment of unkindness. My only feeling will be that of regret that there should have been any competition between us.

Permit me to say, in conclusion, that I have thought that this open and candid communication was due to our ancient relations, and might, by preventing misconstructions, tend to preserve those relations and those amicable sentiments in which I desire to remain always

Your friend,

J. J. CRITTENDEN.

To Hon. JOS. R. UNDERWOOD.

## CHAPTER VIII.

1857-1858.

Letters—Letcher to Crittenden—Letter to Mrs. Coleman—General Scott to Crittenden—S. A. Douglas to Crittenden—Kansas, Slavery and Anti-Slavery in the Senate—Washington Hunt to Crittenden—John O. Sargent to Crittenden—B. Silliman to Crittenden—Letters to O. Brown and to Hon. R. C. Winthrop.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, December 26, 1857.

DEAR CRITTENDEN,—Had the pleasure to receive your favor yesterday, for which I thank you. In regard to the senatorial election, much to my deep mortification and regret, I can tell you that *it will not be postponed*. "*My young warriors*" are a poor, timid, unreliable set of fellows; a portion at least of them are of that character, and could not be made to stand up to their plain duty. The election will come off the 5th of January. I shall try to prevail upon the devils to make another fight over it; but I am pretty sure nothing will be done. Powell will be the man. Yes, I have noticed the progress of that war between the President and Douglas with great interest. Poor Buchanan, I apprehend, will be the most odious President we ever had. If you remember, I told you at least twenty times that he would break down in less than a year. Well, it's a hard fate for a man to be eaten up *by his own dogs*. Nothing on earth can save him that I can see; he must *look to the Lord for help*; but he will look there in vain. Douglas, it appears to me, will divide the Democratic party and take the Northern wing for his portion, and also some part of the Southern wing. The naked truth is, poor B. is in a false position, and, with all his long experience in the art of dodging, he can't *get out of it*. Every intelligent man with whom I have conversed thinks Douglas has the right on his side. The Lecompton Constitution is a *bad cheat*, and all Mr. B. can do with it will be to make a war in Kansas. I understand from sutlers who have just returned from Kansas that there are not five hundred voters in all that country in favor of the constitution. He says *Democrats* in vast numbers denounce it as a shameful fraud. Logan Hunton told me the other day *to tell you* from *him* to keep out of the Buchanan

difficulty. I agree with him in this advice. Let the people of K. have a fair chance to form their constitution. No *force*—no *tricks*—no *ravishment*.

Warm regards to Mrs. C.

Your friend,

R. P. LETCHER.

(J. J. Crittenden to Mrs. A. M. Coleman.)

WASHINGTON, Feb. 20, 1858.

MY DEAR DAUGHTER,—You are right in supposing that I am a poor solicitor for office, especially for any of my own family. I mentioned, however, to General Cass, our Secretary of State, your wish that your son should be appointed consul at Stuttgart, and learned to my surprise that the application had been made before, and had been the subject of several consultations between the President and himself, and that their wish was to make the appointment. This conversation took place a few days ago, and the matter was left unsettled. I said to Cass, on parting, that I did not intend to be a solicitor for office, and unless I heard from him on the subject in a few days, I should write to you to abandon all expectation of the appointment. I have not since heard from the secretary. Congress seems but little disposed to adopt the President's recommendation for an increase of the army; whatever increase may be granted will probably be made temporary, and limited to two years, so that this will not much enlarge the chances of such *permanent* appointments as ought alone to be acceptable to your son and Mrs. Livingston's. I hope, however, to be able to procure appointments for both. I believe I feel quite as much solicitude that young Livingston should receive an appointment as that Crittenden should do so; and this you will approve, as it is the result of a debt which all of your family owe to Mrs. Livingston for her kindness to you. She has done me the honor to write to me in behalf of her son, and I shall reply to her. The distance which separates us seems to be an obstacle to my writing. I think of you and your children every day, and the distance also increases my anxiety and affection for you all. You must now feel at home in Stuttgart, and I am relieved by thinking that you are surrounded by acquaintances, and I hope friends indeed. I am almost afraid that this new residence may make you and your children a little forgetful of your *native home* in your own great country. Washington has been unusually gay this winter. I rejoice that *Lent* has just commenced, as it will be a restraint on many of the party- and dinner-going people of this good city. *Lent* is a good thing, and I have learned to think of it with much more *pious regard* than heretofore. In my present mood I could almost wish that the



church could find a warrant for *several Lents* in the course of the year. We visited George, at Carlisle, in December. He is in fine health, and bent on his long-projected trip to Europe. Tell your daughter Eugenia we all feel quite *elated*, even at this distance, at the thought of the fine company she has been associated with,—dancing in a palace, and with *nobles* and *princes*! We shall hardly know what to do with you all when you get home. It behooves you to remember that you belong to a plain, free country, where there are neither nobles nor princes. I am afraid you will find it a little difficult to “shuffle off the coil” of notions, tastes, and habits which the artificial state of European society so cunningly and so pleasantly wraps around those who come within its splendid circles. Set not too much value on these things; they are but pageants, unreal, and fleeting. Give my love to your children, each and all, and accept for yourself my *best love*. May He whose benign providence is everywhere protect you all in your distant home, and bring you back, in health and prosperity, to your father and family.

Your father,

Mrs. A. M. COLEMAN.

J. J. CRITTENDEN.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, February 25, 1858.

DEAR CRITTENDEN,—Well, I presume the great debate with regard to *Kansas matters* will come off very soon? As a matter of course you will have to take your position for or against the Lecompton Constitution, and that position you will have to defend by all the power and ability of which you are master. I have been asked at least a hundred times, “*How* will Crittenden go? Will he take sides with the President, or will he sustain the rights of the people of Kansas?” My answer has uniformly been, “He will look over the whole ground, and then decide, as becomes a statesman and a patriot.” The truth is, I never entertained a doubt as to the course you would take when the time came to decide. I shall not undertake to instruct you. I do not think you need any instructions. If I supposed you did, I should tell you as you valued your own high reputation, and the honor and peace of the country, as well as the eternal principles of justice, to stand up as firm as the Rock of Ages against the most barefaced fraud and cheating the world ever saw, in the formation of the Lecompton Constitution from the beginning to the end. That Mr. Buchanan, and the leading politicians of the South, should have the bold indiscretion to attempt it,—to force such an *instrument* upon the great majority of the people of Kansas,—is an enigma to me. What good can come of it, *if* it should be forced through Con-

gress? It appears to me that Mr. B. has placed himself in a false position from first to last, and that his whole course upon the subject is puerile in the extreme. I feel vexed, as well as distressed, that he should allow Douglas to administer upon his *stock in trade* before the breath is out of his body. In the *event* that you shall take your stand *against* the Lecompton Constitution, I shall *pat* you on the back, and cry aloud that you have been faithful to your country. It may be, however, that I don't see the thing in *all its bearings*. It is possible somebody may be able to prove more than the President has proved,—that it's all right, all fair, all just: like Pugh, I ought to wait for the facts. Well, I have never yet talked to the first human being who believed that the Calhoun swindle ought to be countenanced.

We are putting up *ice* in abundance; that's good news to you, I *know*.

Warmest regards to Mrs. Crittenden. I am glad to hear she enjoyed her dinner at Sir William Gore Ouseley's. Good as the dinner was, I will bet she had no *corn-bread*, no *jowl* and turnip-greens, no *chine*, no pancakes, no home-made molasses, and good milk, *half cream*. The Queen is pretty well, and gives me a "*poor man's breakfast*" every morning at nine o'clock. Carneal is more and more amiable every day.

Your friend,

Hon. J. J. CRITTENDEN.

R. P. LETCHER.

(General Winfield Scott to J. J. Crittenden.)

HEADQUARTERS OF THE ARMY,  
WASHINGTON, February 26, 1858.

DEAR CRITTENDEN,—Having read, with the liveliest interest, the memorial of Mrs. Turnbull, the widow of the late Colonel Turnbull, asking for a pension on the ground of her gallant husband's most distinguished conduct in the field, and other excellent services throughout his long official career, I beg to say that nearly all the important facts set forth in the memorial I *know* to be true, and *believe* all the other statements to be equally so. I can especially add a most material fact not inserted in the memorial, viz., that early in the siege of Vera Cruz I had occasion to detach an officer of the general staff to inspect and to verify the line of *investment* (some seven miles in length) about the city, in order to be sure that not a gap was left through which the garrison could interchange communications with their friends in the country, and particularly to guard against the reception of supplies and reinforcements; that I dispatched Colonel Turnbull on this important duty; that I was induced to select him mainly on account of his remarkable strength and

vigor, as a most distressing *norther* was then raging, which no man less powerful could have faced and survived even for a few hours; that this service occupied the colonel about *ten hours*, during which the storm of wind and sand continued with unabated violence; and on his return to me, more dead than alive, and for more than forty hours, we had great difficulty in enabling him to stand or walk. My fears for his entire recovery I then expressed to all about me; and in my continued intimacy with him, he often assured me that his constitution was undermined by the extraordinary sufferings of that day's work.

WINFIELD SCOTT.

(Stephen A. Douglas to J. J. Crittenden.)

March 14, 1858.

MY DEAR SIR,—I have read your great and patriotic speech with delight and admiration. I return you my grateful acknowledgments, as an American citizen, for this noble effort. It is the great speech of your life, and will live, and be read, and admired, when we have all passed away. Please let me know *when* it is to be printed in pamphlet form. I wish to subscribe for 25,000 copies, and will ask you to accept from me 5000 copies as a slight memento of my appreciation of it.

Very truly your friend,

Hon. J. J. CRITTENDEN.

S. A. DOUGLAS.

In the spring of 1858 the question of slavery and *anti-slavery* seemed to absorb the public mind to the exclusion of all other political questions. Mr. Crittenden, according to the denominations usually employed by parties, was a Southern man. He had been accustomed from childhood to that frame of society of which slavery forms a part. He declared that, so far as regarded the defense of the rights of the South, he was as prompt and ready to defend them as any Southerner, but in the same spirit in which he would defend any invasion of its rights, he would concede to others their rights, and would assert and maintain them. Those who valued their own rights always respected the rights of others.

The President had sent to the Senate an instrument *called* the Constitution of the People of the Territory of Kansas. He did not believe it came with any such sanction. He believed that the Missouri compromise line, fixed in 1820, was about that territorial line north of which slavery could not be profitably employed. The compromise was a bond and assurance of

peace, and should not have been disturbed. He would vote for the admission of Kansas upon any terms that would give peace. He thought if we were through with this petty Kansas affair that a summer sea of boundless expanse lay before us, and nothing but repose. There was no other Territory to dispute about in the lifetime of any man present. Some believed that the Kansas-Nebraska Act gave all the authority that is usually conferred by what is called "An Enabling Act" on the people of a Territory. He never considered it so. *All* sovereignties of all sorts vanished before the sovereignty of the people of the United States. The Territories have no government except what we give. Mr. Crittenden wanted the South to be always right. The question of slavery was not involved,—no one entertained the hope that Kansas could ever be a slave State. If made so, it would continue but for a feverish moment, filled up with strife and angry controversy. Why should the South be in a hurry to have two more senators in this body, such as they would now get from Kansas? He did not question the purity of the motives of Southern men; they followed their honest convictions, as he endeavored to do. He followed no party shackles. He was a senator of old Kentucky,—brave and noble old Commonwealth. His ambition was to act in her spirit and by her inspiration. Mr. Crittenden concluded this great speech by saying, "I am a true son of the South; may prosperity fill all her borders, and sunshine rest upon her head,—but for all this I do not love the Union less. I claim this whole country as my country. For the preservation of that Union, which makes it so, I am ready to devote my life. I endeavor humbly to do my duty to the South and to the whole country."

A few days after this, in reply to Senator Green, of Missouri, Mr. Crittenden rose and said: "The senator states that I base my charge of fraud against the Lecompton Constitution on the simple testimony of two gentlemen. I deny this. I relied upon facts which are proved. That is my guide, so help me God,—and it shall be my guide forever. I thank my God that He has given me some faculty to distinguish between *right* and *wrong*, and I thank Him, moreover (for the gift would have been worthless if He had not gone further), that with that faculty He has given me the little courage necessary to dare to speak my conviction.

I have spoken *the truth*, and I fear nothing in following the path appointed to all men to pursue."

(Washington Hunt to J. J. Crittenden.)

ST. NICHOLAS HOTEL,  
NEW YORK, March 18, 1858.

MY DEAR SIR,—I will not allow the day to pass without thanking you for your noble effort of yesterday. It rejoices my heart to hear your voice—always eloquent and emphatic on the side of truth and right—rebuking the attempt of the executive to force a government upon an unwilling people. You can have no conception of the importance of your position. It gives assurance to the whole country that patriotism and love of justice do not belong to North or South, but that both sections have men true to the Union and to the principle of constitutional liberty.

Your bright example is the theme of congratulation and rejoicing among all the conservative men whom I have met to-day. We begin to see daylight ahead. The time is at hand, I think, when the old Whig and conservative men of every name can unite in a great and successful effort to reform the government on true national principles. I write this in much haste, and will only add that you are sure of the gratitude of just and reasonable men everywhere.

Believe me, with great respect, yours truly,  
WASHINGTON HUNT.

The Hon. JOHN J. CRITTENDEN.

(John O. Sargent to J. J. Crittenden.)

NEW YORK, WALL STREET, March 20, 1858.

MY DEAR SIR,—Allow me to congratulate you on your great speech, which I think will carry conviction to all just men of the South and seal the death-warrant of all Northern politicians who were willing to connive at the frauds you have so conclusively exposed.

I beg you will send me a copy of it when you get it into pamphlet form, and tell me where I can subscribe for copies for distribution among some of my "erring friends" in this quarter.

If there are any Northern men who can afford to be better Southern men on this question than yourself, Mr. Bell, and R. J. Walker, I should like to know on what grounds.

Believe me to be very truly your friend and servant,  
JOHN O. SARGENT.

Hon. JOHN J. CRITTENDEN.

(B. Silliman to J. J. Crittenden.)

NEW HAVEN, April 12, 1858.

HON. SENATOR CRITTENDEN.

DEAR SIR,—Although I am personally unknown to you, *you* have been long known *to me* by your dignified and truly patriotic course in your career as a public man. I have no claim to occupy your valuable time; but I yield to a strong impulse, both of my mind and my better feelings, when I say that your late effort in the Senate, both in your speech and in the amending bill which you have introduced, entitle you to the lasting gratitude of your country. Great, and noble, and patriotic efforts have been made by other senators; but you and Senator Bell, from age, experience, and undeviating patriotism, occupy a position of influence almost, or quite, peculiar to yourselves. Your *Southern* affinities, too, put forth a conciliating influence, and the candor, dignity, and rectitude so apparent in your remarks have, I presume, given you the prevailing influence which will heal this terrible dissension, provided there is no yielding by those who have hitherto stood firm. I trust that you and your associates who feel *right* on the great questions of the day will, by some influence, *strengthen* the *resolution* of any who may be in danger of proving recreant, and that in a few days our dishonored country may be relieved from the disgrace which has been so long resting upon it. You will, I trust, excuse these honest effusions, and accept the assurance of the high respect and admiration with which I am, dear sir, very truly, your most obedient servant,

B. SILLIMAN.

J. J. CRITTENDEN.

(J. J. Crittenden to his daughter, Mrs. A. M. Coleman.)

SENATE-CHAMBER, April 27, 1858.

MY DEAR DAUGHTER,—In your last letter you express some doubt whether to send your son Crittenden home or await further intelligence from me in respect to the commission in the army, which you desired for him. I advise you to keep him with you till you hear from me. Since I wrote to you, my hopes that both Crittenden and Mrs. Livingston's son might obtain commissions have greatly diminished, *especially* as it respects Crittenden. The increase of the army recommended by the President has been rejected by Congress. To that extent, therefore, the power of appointment has been cut off, and in the old army the opportunities of appointment are altogether casual and the applicants numerous. Worse than all, I find the *good words* of secretaries *not worth much*; and still further, I have

dealt the administration some hard blows of late, which cannot have gained me much favor in their sight. Do not send Crittenden home till you have better grounds than anything I can now give you. We have lately been engaged in important and great debates, in which I may say I have been prominent; that is, I have received unbounded applause from the *people*, and abuse, without measure, from portions of the country. I may well endure the latter for the sake of the applause so much greater in amount and quality. I have done right, and am satisfied with my reward. My name appears in sundry newspapers as their candidate for the Presidency in 1860. Don't take any *vain* notions into your head for all this. It does not affect me. It is a flattering sort of enthusiasm, which may last as long as a morning's mist. No ambition for the Presidency guides or troubles me.

Respects to Mrs. Livingston. I write you in the midst of a debate in the Senate in a hurried manner. May Heaven protect you and your dear children, my daughter, and bring you safely back to us.

Mrs. A. M. COLEMAN.

Your father,  
J. J. CRITTENDEN.

(J. J. Crittenden to Orlando Brown.)

WASHINGTON, May 14, 1858.

MY DEAR ORLANDO,—I know nothing of the papers that accompany this letter, which I shall put into the inclosed packet that was just now handed to me, with a request that I would send it to you. A few days ago I was introduced on the street to a Mr. Robert Carter, who presently made it known to me that he desired or had been engaged to write my biography, and he requested that I would furnish materials for it. I told him that various applications had been made to me, and that I had always declined having anything to do with that subject, and that I must answer him as I had answered others: that there was nothing in my life for history or biography; but I happened to add that I had sometimes referred such applicants to my friend Orlando Brown, etc. This I said with a smile and to get rid of the subject; but Mr. Carter caught at the suggestion, and the packet that will contain this is the result. Now, you have all I know about the matter, and I care not a fig what you may determine about it; nor have I the least ambition to be jammed up in the "New American Cyclopædia," or anywhere else, with a crowd of unheard-of notables. In whatever you may do or say in this matter, it must be done or said upon your own discretion and responsibility.

I have been the unconscious author of a great commotion here ; but it has in a good degree subsided, and we are getting on quite smoothly and hastening to the end of our session. I am getting quite impatient for the adjournment, for I wish for repose among my real friends at home.

The papers that abuse me I do not read, and I am inclined to adopt Shakspeare's philosophy and say of the man that is abused, "Let him not know it and he is not abused at all." On the other hand, I have been *thanked*, and *praised*, and *published* to the skies ; and I find, Orlando, that a little greatness is a great penalty. I have been worried almost to death with visits and letters of congratulation. I am sick of *greatness*.

I endeavored simply to do my honest duty, and I think I have done it ; and it has been my greatest gratification that my Kentucky friends have approved my conduct. I received from Mason a letter that was most grateful to my feelings. I would sooner "be a dog and bay the moon" than to sit here and disgrace old Kentucky by bowing my head at the bidding of this administration on the dictation of every sectional party, though it may call itself *Southern*. My purpose is to represent old Kentucky, her independence, her honesty, and her honor. I hope I shall always have conscience and courage enough to perform that duty. When I touch on this subject, I hardly know when to stop.

Give my kindest regards to your wife and all the family, and believe me to be always your friend,

J. J. CRITTENDEN.

To ORLANDO BROWN, Esq.

(J. J. Crittenden to Hon. R. C. Winthrop.)

WASHINGTON CITY, June 16, 1858.

MY DEAR SIR,—The invitation to attend your Boston celebration of the Fourth of July next, of which you advised me, has been since received. I did, indeed, consider it a high compliment, and will long remember it with pride. To visit Boston on such occasions would be like entering the "*Holy Places*" of the Revolution, and would have a solemn charm for me ! But I cannot be there. I am obliged to go home as soon as I can get away from Washington, and to that effect I have just written to the Major, who did me the honor to inclose the invitation and kindly urged my acceptance of it. None of your guests will enjoy the celebration more than I should have done, and no one, I think, can more regret his inability to attend. The hope of having the pleasure of meeting you will always be a great inducement to me to visit Boston.



You will not, it seems, come to Washington to see the many good and admiring friends you could always find here, and among those I ask leave to be considered one of the warmest friends and most sincere admirers. Please present my highest regards to your wife, who, I will hope, has not forgotten me.

I am truly yours, etc.,

Hon. ROBERT C. WINTHROP.

J. J. CRITTENDEN.

## CHAPTER IX.

1858.

Public Reception in Cincinnati and Covington—Addresses and Replies—Reception at Frankfort, Kentucky—Crittenden to Thomas Clay—A. Lincoln to Crittenden—Crittenden's Reply—In Senate, Bill for Relief of Jane Turnbull.

**M**R. CRITTENDEN'S course throughout the session in 1858, and, above all other questions, his course with regard to the Kansas Lecompton Constitution, met with enthusiastic approval throughout the West. His journey from Washington to Kentucky was an ovation. I have obtained the following account of his reception at Cincinnati and Covington:

[From the Cincinnati Daily Commercial, June 21, 1858.]

Hon. John J. Crittenden arrived in this city Saturday, at 12'22 o'clock P.M., with his lady, *via* the Little Miami Railroad, *en route* for Kentucky. The Reception Committee appointed by the citizens of Newport, Covington, and Cincinnati, accompanied by a throng of people, met him at the depot with Menter's band, and greeted him with deafening cheers and national airs. He was escorted from the cars by our esteemed fellow-citizen, William Greene, Esq., to an open coach drawn by two spirited gray horses. Thomas D. Carneal and Mr. Greene occupied seats with him. A procession was then formed, under command of Mr. Gassaway Brashears, Grand Marshal of the day, and marched down Front Street to the junction of Columbia, thence down Broadway to the Spencer House. Along the line of march large numbers of people assembled to greet the distinguished guest of the city, and several foundries and other establishments were decorated with flowing streamers and waving flags.

At the Spencer House several thousand persons had assembled to greet the senator and to participate in the ceremonies of reception. The carriage containing Mr. Crittenden drew up in front of a platform, decorated with the national ensign, before the hotel, when Hon. Thomas Corwin, after first giving his old associate and friend a warm personal welcome, mounted

the stand, and welcomed him publicly to the hospitalities of the citizens of Cincinnati in an eloquent but brief address.

## THE WELCOME SPEECH.

Mr. Corwin said: "Mr. Crittenden, the very pleasing duty, sir, of welcoming you to the city of Cincinnati has been devolved upon me by my fellow-citizens; and, sir, it may be as well for me at the outset to make known to you—as, no doubt, it will prove agreeable to you—that this demonstration is not the movement of any political party. I am not the instrument of any cabal, not the organ of any political party, but the representative of my fellow-citizens of Cincinnati, irrespective of all partisan affiliations, who desire me, in their name, to welcome the statesman who has proved true to the Constitution and the Union.

"We welcome you heartily, sir, to our city. And besides, sir, there are thousands of us here who claim you as a personal friend, and we have assembled because we love the man John J. Crittenden. [Great applause.]

"You will not be deceived, sir, by appearances. You are now in sight of—within five minutes' walk—of your old Kentucky home. But, sir, you are as much at home here as if you were seated within your own homestead. The man who deserves well of his country is at home here and everywhere in this Union, in the love of his people, to whose hearts he is ever welcome; and I assure you, sir, there will be prayers offered in this community that it may please God to give you length of days to be, what you have been, a benefactor to the country you have so long and so faithfully served. Again, sir, in the name of the people of the city of Cincinnati, I welcome you."

When Mr. Corwin concluded, an enthusiastic youth sprang to the curbstone, directly in front of Mr. Crittenden, and giving his hat a desperate swing, sung out, in a half-frenzied tone, "Three cheers for the American eagle!" The cheers were very audibly given. In fact, they were wellnigh ear-splitting.

Mr. Crittenden, who stood in the carriage during the delivery of the welcome address, was visibly agitated. His noble features seemed working with intense feeling; his eyes sparkled vividly, and his lips quivered with irrepressible emotion. He is a much more youthful person than we had imagined. He is about seventy years of age, but does not look it. His form is erect and spare, well formed and vigorous; his dark-gray eyes gleam vividly beneath heavy gray eyebrows, and are canopied by long

lashes; his nose is aquiline; his mouth, and all his features, large; lips, firmly set; chin, square; forehead, broad, high, and massive; head, long, splendidly developed, and covered with gray, but not white, hair; and his complexion is dark, not *quite* so dark as that of the distinguished gentleman to whom he extended his hand with generous vigor and greeted in loyal fashion, "How are you, Tom, my old friend? I *am* glad to see you; *are* you well?" His height is about five feet ten inches.

#### MR. CRITTENDEN'S RESPONSE.

Mr. Crittenden momentarily surveyed the crowd, and with deep earnestness said:

"Mr. Corwin, my old and respected friend, I had not expected this cordial and unexpected reception until last evening. I had not anticipated anything but the hospitable welcome that is always extended to any stranger arriving in your beautiful city; and I must confess that after being so warmly greeted, and honored by so many of my fellow-citizens, I feel almost ashamed that I have done so little to deserve it. I feel how little I deserve it. I am the more thankful to you all because of your appreciation of my services. I thank you, fellow-citizens, from the fullness of my heart.

"I have always been devoted to the Union. It was born in me, and I could not help it. When I was last, and for the sixth time, elected to the Senate by my honored old State of Kentucky, I determined to be more of a patriot and less of a politician. I said to myself, 'You have now run the heated career of a politician; you have loved the strife; you have sought, if you have not delighted in, the combat; but now you have arrived at an age when you should desert all these things, and devote yourself to your country. What may have been excusable in youth is not so now; you have arrived at that age when you should lay aside party strife. Be less a partisan, and more of a patriot.' With this feeling I went to finish my public services. If I have failed in any respect, it must be attributed to the unconquered frailties of poor human nature. [Laughter and cheers.] I divested myself as far as possible of partisan feelings, and earnestly endeavored to do my duty to my country. I was actuated by just motives, and did not ask for popular opinion,—sought to do what was just and right.

"Though not now in my native State, I am among my countrymen, and at home. I claim you as my countrymen. This whole vast confederation, I feel, is not too great for me to comprehend in my affections. I feel that wherever I go all the people are my fellow-countrymen. This is my country, my native land,—all, all, and these are my brethren, who have place in my

heart. Wherever, within these mighty bounds, I set my foot, I can proudly claim this my own, my native land.

"But I have done nothing to merit all this honor you put upon me,—nothing but my plain duty like a plain man. If, in the zeal of partisan spirit, I have ever done aught to the injury of my country, I pray God to forgive me; but if I have so done, I can say justly I did so erring in honest convictions. I thank God, I can now divest myself of partisan spirit. I speak to no party. I have none to influence. I am not one of that sort of political speculators, who, forgetting the present, tantalize themselves by looking into the distant future to discover pregnant evils, but I do the duties that are before me, confident that what is done right now cannot result in evil hereafter.

"I cannot enter into any discussion before this meeting upon political themes; this is not the time and place, and it is not expected. In the late struggles in Congress I had but one duty to perform. I did not know, I did not ask, what might be the judgment of my fellow-men, but I knew what was right, and did not choose another course. I thank you, therefore, fellow-citizens, that my course meets your approbation. It is a tribute which I shall carry home with me with unspeakable gratitude."

Mr. Crittenden then proceeded to express the conviction that the discordant elements which so lately warred throughout the country are subsiding into peace, and that the great commonwealth is again moving forward in a career of prosperity. He thought there is but one imperishable foundation for government to stand upon,—truth and justice. Trickery and political dishonesty may serve their inventors awhile, but their consequences eventually will be like burnt grass,—will turn to ashes and be nothing. With *truth* and justice for guides, the future destiny of this Union must be bright and glorious.

He then discussed the extravagance of the present administration briefly, and intimated that the question of protection to American labor and American manufacturing interests must again loom up into importance. With extravagant government, the result must inevitably be enormous public debt, and a final resort to direct taxation.

This part of Mr. Crittenden's speech was genuine, old-fashioned Whig-protection-tariff doctrine. In conclusion, he again thanked the people with full-breasted emotion, and was jammed through a dense crowd under charge of Mr. Corwin, and, by dint of much effort, finally found the gentlemen's parlor, where gentlemen, desirous of conspicuity in the shade of a great man, did their best to make Mr. Crittenden miscellaneously acquainted with a considerable number of individuals.

At half-past seven o'clock the procession of citizens, headed

by Marshal Brashears, escorted Mr. Crittenden from the Spencer House to the steamer *Champion* No. 3, at the foot of Walnut Street, where he was received by the committees of reception from Covington and Newport, and the agreeable responsibilities of our citizens then terminated.

#### THE CROSSING TO COVINGTON.

Several hundred persons boarded the *Champion*, which had been handsomely decorated by Captain Shinkle, and as the steamer put out from the shore the people of Covington and Newport commenced a booming fusillade with cannon on their respective shores, and crowds of people, of all ages, conditions, and sexes, assembled. The boat, gayly decorated with streamers, and crowded with men, presented a very handsome spectacle.

#### THE RECEPTION IN COVINGTON.

The people of Newport united with the Covingtonians in greeting their great senator. A torch-light procession was formed, and met the reception cortège at the Covington wharf. They had music, and banners, and demonstration transparencies. They rent the air with *vivas* when Mr. Crittenden stepped into the carriage, drawn by four superb grays decorated with waving plumes. The procession marched up Scott Street. A short distance up a streamer, stretched across the highway, bore the inscription,

“WELCOME TO YOUR OLD KENTUCKY HOME!”

Numerous houses on the line of march were decorated with flags and demonstrative emblems. Some dwellings were brilliantly illuminated,—*the post-office was not*. The Covington *Journal* office seemed a blaze of light; flambeaux flashed a lurid glare far distant; Roman candles spluttered, fizzed, and banged concussively; a streamer was stretched across the street bearing the inscription,

“HON. J. J. CRITTENDEN, THE INCORRUPTIBLE STATESMAN.”

The fine residence of P. S. Bush, Esq., opposite Madison Square, was illuminated with brilliant lights and handsome Kentucky women. A short distance above this house the street was spanned with another streamer, inscribed

“HON. J. J. CRITTENDEN,—TRIED, FAITHFUL, AND TRUE.”

Madison Square, the old Baptist college grounds, was filled with high-born dames and graceful damsels, spirited gentlemen and strong-armed artisans, a great variety of noisy boys, and a cavalcade of Cincinnati horsemen. The procession, under command of Marshal S. K. Hayes, was enthusiastically received

along the line of march, and when it entered Madison Square bonfires were kindled, and the honored senator was received with a welcome of cheers which echoed and re-echoed in the distant valleys of the "dark and bloody ground."

Silence having been restored, Judge W. B. Kinkead, of Covington, addressed Mr. Crittenden as follows :

JUDGE KINKEAD'S WELCOME ADDRESS.

"Mr. Crittenden, I have been selected as the organ of the people of Covington to greet you with a glad welcome as you arrive at the limits of the State of Kentucky, and to tender to you their cordial approbation and gratitude for your distinguished services as our senator during the eventful and trying session of Congress which has just terminated.

"Throughout that life, now not a short one, you have enjoyed uninterruptedly the confidence and affection of the people of Kentucky. You have been, I can truly say, her favorite son. Born at an early period of the Commonwealth in the beautiful county of Woodford, Kentucky has nourished and sustained you—has followed you throughout that long and arduous public life with a maternal pride and confidence which has known no faltering. She felt and saw in you the truest representative of the genius and spirit of her people; that the proud and honorable name of a Kentuckian was indicated and illustrated in your life and character; and she here and now rejoices that you have so borne yourself through many a conflict that your unsoiled escutcheon still beams and brightens with a yet purer and brighter lustre. [Applause.]

"Our Kentucky hearts swell with pride and exultation as we recur to that day when, standing before that august body, you plead the cause of *justice* and *popular rights* against fearful odds, combined and bent on perpetrating a fearful wrong. [Vehement cheering.] That you should be denounced by those whom you have so opposed was to have been expected. But be of good cheer; the wise and the good will not fail to appreciate and reward with their approbation virtuous and patriotic actions. Their blessings and benedictions will be poured upon your head. As the organ of this vast assemblage, I now stand here to tender to you their gratitude for such services, and to give you a hearty welcome home to your own Kentucky." [Applause.]

MR. CRITTENDEN'S REPLY.

Mr. Crittenden said: "Mr. Kinkead and fellow-citizens, I ought to be, I am proud, I am thankful to you for this generous reception. From you and your fathers, people of Kentucky, I have received all the honors in their power to bestow

upon me. I love my old State of Kentucky; I cannot help it; and if there is a heart in this assemblage that beats a truer pulsation for her welfare, I should like to learn a lesson from it. I feel gratified that my efforts to serve my countrymen have met with your approval. I have endeavored to discharge my duties like a Kentuckian. [Cheers.] When the late great struggle took place in Congress, I did not know what were the sentiments of my people; but I knew my duty, and there was but one course for me to pursue. My heart swelled with gratitude when I learned that you approved me, and (with great emphasis) I had rather this right hand should be chopped off on this block than to have violated my plain duty.

"I could have chosen another course. There was everything to protect me in it; but I saw the truth before me, and, as old Kentucky's son, I followed it. I am gratified beyond all expression that I have your approval. I never believed that Kentucky would subscribe her name to fraud and injustice, and I could not sanction it with mine. I could not indulge in circumlocution to save myself and lose my country. I could have protected myself, but I sought the truth and the welfare of my country. But, fellow-citizens, I did not intend to make a political speech; this is not the time or place, and I am not prepared for it. I need rest.

"But I am once more in my native land, thank God [cheers],—my dear old Kentucky! [Great applause.] But I was so treated to-day in Cincinnati as almost to make me forget that I was not in my own home. [A voice oddly cried out, "Remember Harry Clay!"] Remember Harry Clay," said Mr. Crittenden, with most eloquent sadness. "Oh, a name never, *never* to be forgotten by a Kentuckian! A name that grows greener and fresher and more glorious as time heaps the turf upon his grave!

"But, fellow-citizens, I have represented you as senator from Kentucky. I have endeavored to serve you faithfully; I could not help it. Love for my honored old State was born in me. What little of life that remains for me, I hope shall continue to be devoted to the service of my countrymen. I will serve them first and try to please them afterwards." [Cheers.]

Mr. Crittenden then turned his attention to general politics. He alluded to the late stormy session of Congress in its general relations to domestic and foreign politics, and expressed a hope and conviction that the lately brooding storms which threatened our prosperity are passing away. "There had been rumors of war; but there remains no danger of any with Great Britain. We have only to cultivate peace, and all those disturbing and perplexing questions of troublous portent will



vanish into nothingness." He congratulated the people that the fury of partisan strife is subsiding. He thought there could not be much of a contest preparing for the future when the people shall again choose a President. "*Not much of a contest, I think,*" said he, with a prodigious grin, which brought down the crowd. "An administration that begins by spending \$17,000,000 of surplus, spends \$20,000,000 more of treasury notes in addition at the start, borrows \$20,000,000 more during its first year, and foots up at the expiration of the first year an expenditure of \$80,000,000, with estimates of \$100,000,000 for the next year, can't stand long in the favor of the people." He would frankly admit that Mr. Buchanan came to the Presidency at an unlucky time, and he had had an unlucky time of it. "The country had suffered great financial distress. Commerce was depressed, and it was somewhat owing to these calamities that the deficiency in the national exchequer exists. But still the administration is chargeable with extravagance; and the inevitable consequence is a great national debt. When it is remembered that the administration of the younger Adams was denounced as extravagant when the entire expenditure for *four* years was only \$54,000,000, and that of Jackson, whose bill of costs for a similar period was \$100,000,000, what will be the conclusion of the American people when they consider \$100,000,000 expended by the Buchanan administration in a single year? It is enough to make the people study seriously."

Mr. Crittenden followed this train of thought in logical sequence until he fell upon the tariff question, and maintained the necessity of returning to the American system, or submit to the evils of direct taxation which must follow the existing current of national politics. He put many strong arguments in statistical form; but our readers are generally familiar with the arguments of the protectionists upon this question. His remarks indicated a future political movement. During his speech, however, he made a fine appeal in behalf of the laboring classes, showing that the consequences of Democratic free-trade principles tended directly to reduce them and the foreign-born citizen who came here to escape European oppression to the pauper condition of the laboring classes of Europe.

"Would you have all the nobility of a freeman's heart—all the manhood in his existence—worked down into an animal? If you would have manufactures and mechanic arts flourish in your midst, put your taxes upon foreign goods, so as to afford a reasonable protection to labor in your own country. Should we pursue foreigners with the same pains and afflictions from which they have once escaped? By no means! But let us, while they are reasonably encouraged, throw around our own

people such safeguards and protection as shall prevent the labor of the country from being brought down to the standard of Europe. Let us first protect our own countrymen. [Loud applause.] But you, my friends, have given me a welcome from warm hearts, for which I thank you. It is a tribute from old Kentucky that I would not exchange for all the revenue ever collected by a tariff. It has filled the measure of gratitude to overflowing. I care not for the smiles or frowns of the President. I shall not seek to make him smile; I do not regard his frowns; I can give frown for frown. You, fellow-citizens, have filled my heart with gratitude. Kentucky has been my mother. Her sons are my friends—my brothers. Farewell for to-night. God bless you and prosper you, and our noble old Kentucky."

Shouts and cheers followed this speech, and hundreds crowded about the stand to take Mr. Crittenden by the hand, and a national salute was being fired from another part of the grounds.

#### RECEPTION OF MR. CRITTENDEN AT FRANKFORT, JUNE 29, 1858.

Contrary to the public expectation, Mr. Crittenden arrived in this city on Tuesday evening last, instead of the afternoon, as had been arranged by the committee. The people were disappointed in their wish to meet him at the depot, but they were determined to express a heartfelt welcome to Kentucky, and their approbation of his course in the Senate of the United States. A committee of our most influential citizens, accompanied by Menter's band, which had been brought from Cincinnati for the purpose, marched to his residence on Tuesday evening, and escorted him to the State House, where a large crowd was assembled to meet him. At the steps of the capitol he was received by Governor Morehead in an elegant and brief address. Governor Morehead had been selected by the citizens of Frankfort to express their increased confidence and esteem for the senator who had so ably vindicated the conservative spirit which has ever characterized old Kentucky and her statesmen; and he did not utter a word which did not find a response in the hearts of all present.

We cannot pretend to give the words, or describe the manner, of Mr. Crittenden's reply to this welcome. The manner was the same which has so long made him so great a favorite as an orator in Kentucky, and the words were eminently suited to the occasion. Throughout the speech he manifested the deepest feeling. When he first stood up, we saw his eye flash with the electric fire which lends so much power to his words, and his entire speech exhibited the same boldness and pride which have always marked him. He did not come before the people

as a criminal to plead for mercy for a great crime committed against his country or the State which he represents. Having conscientiously discharged his duty to his whole country, and having served the people to the best of his ability, he stood among his fellow-citizens with the proud consciousness in his heart that he had done his best to deserve the unexpected and spontaneous welcome extended to him. He had not acted as a Northern or a Southern man, but he believed his course was that which a senator of the United States ought to have taken. He had acted as a Kentuckian—despising fraud and resisting corruption—should ever act. He had not been sent by Kentuckians to be the slave of any section, or the tool of any administration. He had been sent to the Senate to consult and act for the best interests of the whole country, and he had striven to do so. He had not been taught by his constituents that he must truckle to any majority of men from other States. No, they had taught him to follow the path of honor and probity; and he had done so. He had learned that it was the part of a true statesman to *serve* the people *first*, and if he could but *please* them *afterwards*, so much the better; he was resolved to serve them whether they were pleased or not.

(J. J. Crittenden to Thomas H. Clay.)

FRANKFORT, July 1, 1858.

MY DEAR SIR,—Though I may possibly have the pleasure of seeing you before *this* can be received, as I expect to pass through Lexington to-morrow on my way to the Estill Springs, yet I have a particular gratification in thus recording my acknowledgments to you for your letter of the 21st of the last month. It was the more grateful to me, and the more generous on your part, as it seemed to be interposed as a *shield* against the attacks of a paper in your city, attempting to excite hostility against me on your father's account, as though I had been his enemy. I will avail myself of the first opportunity to explain to you the relations between your father and myself, and *especially* that brief and only passage in our lives in which a shadow was cast upon our long-continued friendship; a shadow removed before his death by the most affectionate explanations, *mutually* and cordially made and accepted. When he descended to the grave, he carried with him as much of my heart as of any human heart outside of his own family. I say this to you in all sincerity, not for the purpose of *propitiation*, but that you may *know the truth*, and may know that you have done no wrong to your father's great name and sacred memory by any of your *acts* of respect or kindness to me.

I am truly your friend,

THOMAS H. CLAY, Esq.

J. J. CRITTENDEN.

(A. Lincoln to J. J. Crittenden.)

SPRINGFIELD, July 7, 1858.

To the Honorable J. J. CRITTENDEN.

DEAR SIR,—I beg you will pardon me for the liberty I take in addressing you upon only so limited an acquaintance, and that acquaintance so long past. I am prompted to do so by a story being whispered about here that you are anxious for the re-election of Mr. Douglas to the United States Senate, and also of Harris, of our district, to the House of Representatives, and that you are pledged to write letters to that effect to your friends here in Illinois, if requested. I do not believe the story, but still it gives me some uneasiness. If such was your inclination, I do not believe you would so express yourself. It is not in character with you as I have always estimated you.

You have no warmer friends than here in Illinois, and I assure you nine-tenths—I believe ninety-nine-hundredths of them—would be mortified exceedingly by anything of the sort from you. When I tell you this, make such allowance as you think just for my position, which, I doubt not, you understand. Nor am I fishing for a letter on the other side. Even if such could be had, my judgment is that you would better be *hands off!*

Please drop me a line; and if your purposes are as I hope they are not, please let me know. The confirmation would pain me much, but I should still continue your friend and admirer.

Your obedient servant,

A. LINCOLN.

P.S.—I purposely fold this sheet within itself instead of an envelope.

(J. J. Crittenden to A. Lincoln.)

FRANKFORT, July 29, 1858.

Hon. MR. LINCOLN.

DEAR SIR,—Your letter of the 7th must have been delayed on the way; it was not received until a few days ago. The acquaintance to which you allude as having long since existed between us is still freshly remembered by me, and the favorable sentiments of personal regard and respect with which it impressed me I have ever since retained.

You are entitled to be frank with me, and you will be best pleased, I think, with frankness on my part, and in that spirit I will endeavor to reply to your letter.

Mr. Douglas and myself have always belonged to different parties, opposed in politics to each other; but it so happened that at the last session of Congress we concurred and acted

together in opposing the enforcement of the Lecompton Constitution upon the people of Kansas. I regarded that measure as a gross violation of principle and good faith fraught with danger to the country. Mr. Douglas's opposition was highly gratifying to me; the position taken by him was full of sacrifice and full of hazard, yet he took it and defended it *like a man*! In this he had my warm approbation and sympathy; and when it was understood that for the very course of conduct in which I had concurred and participated, the angry frown of the administration and its party was to be employed to defeat his re-election to the Senate, I could not but wish for his success and triumph over such persecution. I thought his re-election was necessary as a rebuke to the administration and a vindication of the great cause of popular rights and public justice. In this statement you will find the origin and state of my present feelings in regard to Mr. Douglas.

They arose naturally and spontaneously in my mind, and were entirely unconnected with party calculations, and most certainly did not include a single particle of personal unkindness or opposition to you.

These sentiments in regard to Mr. Douglas and his conduct on the occasion alluded to were frequently, openly, and ardently avowed by me in many conversations at Washington and elsewhere. I must confess that I still entertain them, and whatever I do must correspond with them. But it has so happened that I have, in fact, done very little in the matter. Since the adjournment of Congress I have not written a single letter to any one in Illinois. During its session I do not remember to have written more than three or four, and they, in every instance, I believe, were written in reply to letters received. In some of these letters, possibly in all, Mr. Douglas was alluded to and recommended. This is all that I have done. But I have now on my table several letters from citizens of your State on this subject, to which I could not forbear replying without subjecting myself to imputations of insincerity or timidity. One of these letters, for instance, requests me to say whether I did not, at Washington, have a certain conversation with the writer concerning Mr. Douglas, etc. These letters I must answer in a proper manner. As to the future, sir, I cannot undertake to promise or to impose any restrictions on my conduct; that must be regulated under whatever circumstances may exist by my sense of propriety and duty. I can only say to you that I have no disposition for officious intermeddling, and that I should be extremely sorry to give offense or cause mortification to you or any of your Illinois friends. Whatever my future course may be, I trust that I will so act as to give no

great cause of offense to any candid and liberal friend, even though he may differ with me in opinion. I have thus explained to you my situation, and the cause and state of my feelings on this occasion, and now leave the subject to you, with every confidence in your justice and liberality.

What I have said in relation to Mr. Douglas, may be regarded as applying in all material respects to Mr. Harris, your present representative in Congress.

In the effort to make myself perfectly understood, I have made this letter long and tedious. Excuse it, and believe me to be very truly and respectfully yours, etc.,

J. J. CRITTENDEN.

ABRAHAM LINCOLN.

(A. Lincoln to J. J. Crittenden.)

SPRINGFIELD, Nov. 4, 1858.

Hon. J. J. CRITTENDEN.

MY DEAR SIR,—Yours of the 29th was taken from the office by my law-partner, and in the confusion consequent upon the recent election was handed to me only this moment. I am sorry the allusion made in the *Missouri Republican* to the private correspondence between yourself and me has given you any pain. It gave me scarcely a thought, perhaps for the reason that, being away from home, I did not see it till only two days before the election. It never occurred to me to cast any blame upon you. I have been told that the correspondence has been alluded to in the *Missouri Republican* several times; but I only saw one of the allusions made, in which it was stated, as I remember, that a gentleman of St. Louis had seen a copy of your letter to me. As I have given no copy nor ever shown the original, of course I inferred he had seen it in your hands; but it did not occur to me to blame you for showing what you had written yourself. It was not said that the gentleman had seen a copy or the original of *my letter to you*.

The emotions of defeat at the close of a struggle in which I felt more than a merely selfish interest, and to which defeat the use of your name contributed largely, are fresh upon me; but even in this mood I cannot for a moment suspect you of anything dishonorable.

Your obedient servant,

A. LINCOLN.

(J. J. Crittenden to T. Lyle Dickey.)

FRANKFORT, August 1, 1858.

MY DEAR SIR,—I received some days ago your letter of the 19th of last month, in which you state the substance of a conversation between us in relation to Judge Douglas, said to

have taken place in April last at the city of Washington. You ask if your statement is correct, and you ask my permission to speak of it privately and publicly, as occasion may prompt you. I remember the conversation to which you allude and the substance of it; it occurred at Washington during the last session of Congress, and most probably in April.

Your statement of that conversation corresponds substantially with my recollections of it. As you state in your letter, I did in that conversation speak of Senator Douglas in high and warm terms. I said that the people of Illinois little knew how much they really owed him; that he had had the courage and patriotism to take an elevated, just, and independent position on the Lecompton question at the sacrifice of interesting social relations, as well as old party ties, and in defiance of the power and patronage of an angry administration, supported by a dominant party disbursing a revenue of some eighty millions a year; that for this noble conduct he had been almost overwhelmed with denunciations; that the attacks made upon him in the debates of the Senate were frequent, personal, and fierce; that throughout the entire session he must have felt the consciousness that he was in daily danger of being so assailed in debate as to force him into altercations and quarrels that might in their consequences involve the loss of honor or of life. Notwithstanding all this he had kept his course firmly and steadily throughout the whole struggle—had borne himself gallantly. I thought there was a heroism in his course calling not only for approbation but applause.

In the above statement I have rather confined myself to those particulars of our conversation suggested by your letter than attempted to detail the whole of it; the above, however, contains the substance of what passed, and whatever else was said was in accordance with it. This conversation with you, sir, formed but a part of many others of a like character which I held on the same subject. I often expressed my high opinion of the conduct of Judge Douglas on the Lecompton question. I expressed it frequently, fully, and openly, and was careless who might hear or repeat it. Under these circumstances, I do not feel that it would become me to object, or that I have, indeed, any right to object, to your repeating our conversation when I have myself so frequently and so publicly declared the whole substance of it. I have thus answered your letter, as I felt myself bound to do.

I must add, however, that I do not wish to be an officious intermeddler in your elections, or even to appear to be so. I therefore hope and request that whenever you have occasion to speak on the subject of this letter, you will do me the justice to

explain and to acquit me of any such voluntary intermeddling, or of the presumption of seeking to obtrude myself or my sentiments upon the attention of the people of Illinois.

I am, sir, with great respect, yours,  
J. J. CRITTENDEN.

T. LYLE DICKEY.

(In Senate, December 23, 1858. Bill for the Relief of Jane Turnbull.)

Mr. Crittenden.—Mr. President, we are about entering upon the holidays, and I wish to do so with a good and cheerful spirit; to do a good deed beforehand, I move to take up the bill for the relief of Jane Turnbull. I ask that this bill may be passed. It requires the Secretary of the Interior to place the name of Jane Turnbull, widow of the late Colonel William Turnbull, of the army of the United States, on the pension-roll, at the rate of fifty dollars per month during her natural life. It is necessary that I should make a brief statement of the case as it appears on file. William Turnbull entered the army in 1819; he died in 1857. Never during that whole period of his career in the army did Colonel Turnbull ask for leave of absence, except on account of sickness or inability to perform his duties. Belonging to the most scientific department of the army,—the topographical engineers,—he served everywhere; he served in Mexico; was twice brevetted for services there; he died of rheumatism of the heart, induced by exposure there. Though a man of remarkable strength, very athletic, and of fine constitution, it was his fate to suffer exceedingly from exposure to the climate while serving in Mexico. In talking to General Scott the first day I saw him after the death of Colonel Turnbull, he told me, with that passionate sort of grief with which he always seemed to regard the death of this gentleman, "I killed him, sir!" "How was that, general?" "At the siege of Vera Cruz, a terrible norther blowing upon us the whole time, I sent him out to service. All day he was exposed to a storm of cold wind from the north and to clouds of sand; he got back to my quarters at night, after having served the whole day, unable to get off his horse. All that could be done for him *was done*; but he never finally recovered from that shock." It is certified by his physician that he was afterwards sent upon the northern frontier to superintend some works of the government. This aided the shock his constitution had received in Mexico; he came back time after time with this rheumatism of the heart; he was at last recalled and sent South, and died at Wilmington, North Carolina. Colonel Turnbull died in his bed, *alone*, and has left a family for whom this provision is asked.



Surely, so far as the merits of the father can entitle the family to a compensation, his services for over thirty years—services of the most arduous character, exposing him in every climate, and particularly in our war with Mexico—ought to secure them this small allowance. This family are abundantly justified in appealing to the liberality of Congress. Such a family of children has hardly been left by any officer who has died in our service. He had a large family, and they are in utter want,—*all* his pay was necessary to support them during his life. To be in Colonel Turnbull's house, as I have been, and many other senators have been, and see the beautiful economy by which the expenses of a large family were brought within the compass of small means, was an affecting sight, even in his lifetime. He has left a wife, who well deserved such a husband, destitute, with nothing but a naked house.

A word more in explanation. There was no written report from the committee. I presume that the matter was not properly attended to by those who had it in charge for Mrs. Turnbull. A statement in writing was furnished by General Scott; he brought me the paper voluntarily, and then held the conversation I have reported in regard to Colonel Turnbull and the origin of the disease with which he died. This business commenced in the other House, and there the paper was lost. I gave General Scott notice, and requested the committee to summon him as a witness. I wanted to have him before them that they might examine him. General Scott was notified, and attended, but the committee did not meet on that day.

General Scott attributes the origin of Colonel Turnbull's death to his being frozen and exhausted at Vera Cruz in the manner I have stated. The service at the North afterwards, on the water's edge, and in that climate, was co-operative with the exposure occurring in Mexico. He died of disease contracted in the line of his duty. I think it is a plain case made out of a man dying from disease contracted in the public service.\*

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\* Speeches of this character, *not political*, but going to show Mr. Crittenden's kindness of heart, and the zeal and sensibility with which he served his friends, I have thought best to insert in his Life, and not to publish in the volume containing his speeches in the Senate and House of Representatives, which it is my wish to have published at some future time. I have also deemed it advisable to publish in this volume some of his speeches to popular assemblies.

## CHAPTER X.

1859-1860.

In Senate, January 4, 1859—Removal to the new Senate-chamber—Speech of Mr. Crittenden—Letters from Letcher—In Senate—Commodore Paulding—William Walker's Expedition to Nicaragua—In Senate—Brig General Armstrong—Letcher to Crittenden—Cuba—Crittenden to Mrs. Coleman—James F. Simmons to Crittenden—In Senate, 1860—Slavery Question—General Scott to Crittenden—Letters of Amos A. Lawrence, General Scott, J. P. Kennedy, F. P. Blair—In Senate, 1860—Thaddeus Hyatt.

(In Senate, January 4, 1859. Removal to the new Senate-chamber.)

**M**R. CRITTENDEN.—Mr. President, I hope I may be indulged in a few words of parting from this chamber.

This is to be the last day of our session here, and this place which has known us so long will know us no more as a Senate. The parting seems to me to be solemn, and full of eventful recollections.

Many associations, both pleasant and proud, bind us and our hearts to this place. We cannot but feel its influence,—I, perhaps, Mr. President, most deeply, as my lot has been to serve in this body more years than any member now present. We cannot leave this chamber without some feeling of sacred sadness,—it has been the scene of great events. Here questions of American constitutions and laws have been debated, questions of peace and war decided, questions of empire occupied the attention of great minds. This was the grand theatre upon which these things have been enacted. Surely this hall is consecrated!

Great men have been actors here. The illustrious dead who have in time past distinguished this body, rise naturally on this occasion to our view. I speak but of what I myself have seen, and but partially of that, when I say that within these walls I have seen men whose fame is not surpassed, and whose power and ability and patriotism are not surpassed, by any Grecian or Roman name. I have seen Clay and Webster, Calhoun and Benton, Leigh and Wright and Clayton (last though not least), mingling together in this body at one time, and uniting their counsels for the benefit of their country.

On this solemn occasion they seem, to our imaginations and sensibilities, to have left their impress on these walls, and this majestic dome seems almost to echo now with the voice of their eloquence. This hall is filled with the pure odor of their justly earned fame. There are others of whom I will not speak because they have not yet closed their career, not completed their patriotic services, but they will receive their reward hereafter. A host might be named,—their names are in no danger of being forgotten, nor their services unthought of or unhonored.

We leave behind us, sir, in going from this hall, these associations, these proud imaginations, so well calculated to prompt to a generous emulation; but we carry along with us to the new senate-chamber the pure spirit and the memory of these things. Let us carry with us all the inspiration which the example of our illustrious predecessors is calculated to give.

Wherever we sit we are the Senate of the United States of America; a great, powerful, conservative body in the government of this country; a body that will maintain, as I trust and believe,—under all circumstances and in all time to come,—the honor, the rights, and glory of this country. In leaving this chamber we will not leave behind us any sentiment of patriotism, any devotion to our common country, which the illustrious examples that have gone before us have left for our imitation. These, like our household gods, we will carry with us, and we, the representatives of the States of this mighty Union, will, I trust, be found always equal to the exigencies of any time of trial that may come upon our country. No matter under what sky we may sit, no matter what dome may cover us, the great patriotic spirit of the *Senate* will be there; and I have an abiding confidence that in the performance of its duty it will never fail!

But, sir, we cannot depart without casting many longing, lingering looks behind us. This has been the scene of the *great past*, the new chamber is to be the theatre of the future; and that future, I hope and believe, will not be dishonored by a comparison with what has gone before. The new chamber will have its illustrations of great services rendered by great men and pure patriots. This body, the great preservative element of the government, will discharge all its duties, taking care to preserve the union of the States which they represent, the source of all their honor, the fountain of that trust which they are here to execute,—the source of their country's greatness, happiness, and prosperity in the past and in time to come.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, January 20, 1859.

DEAR CRITTENDEN,—Thank you for your letter; was rejoiced to get it. From all you tell me, and from all I see and hear, political affairs are as unsettled and uncertain as can possibly be. Douglas will cling to the Democratic banner as long as a *shred* is left; his party may kick him, beat him, but as long as he has a hope of being taken up as a candidate for the Presidency he will humble himself *too low* to be respected by his party. When he attended that Slidell caucus, the other night, I lost confidence in him as a man of dignity, firmness, and proper self-respect. He seems willing to support Slidell's project to place thirty millions in the hands of the President, as a fund, I suppose, to bribe Spanish traitors to assist in the purchase of Cuba. His whole scheme to buy that island is simply ridiculous. Spain would rather see it sunk by an earthquake to the bottom of the ocean than allow it to pass into the hands of the United States. Now, just let me tell you, when that proposition comes up, then is your time to make a telling speech, to exhibit our financial distresses to the country and denounce the scheme "*high and dry*." I fear the Black Republicans won't have sense to see they can't elect a candidate of their party; they are acting just the part the Democrats wish; and if they persist, a Democrat will be our next President. The leaders of the Republican party are a set of fools. Yes, I mean to go to the Louisville convention the 22d of February, if I live. Our party are in bad spirits. Hope, after the convention, things will be more favorable. I had never thought of Bullock as a candidate for governor; it seems to me he would make as good a candidate as we could run. Carneal will be in W. in time to come home with you. *The Queen* gives me a first-rate "poor man's breakfast" every morning at nine o'clock, and wishes that you were present to help me eat it. I stand in need of good cheerful company, so come home as soon as possible.

Your friend,

J. J. CRITTENDEN.

R. P. LETCHER.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, January 26, 1859.

DEAR CRITTENDEN,—From all indications, I think we shall have a large convention on the 22d. I must say that our friends are too low in spirits and in hopes to make an efficient and vigorous campaign. Something must be *done* or *said* at that convention to infuse new life, and courage, and confidence in our party, or we are *lost*. Before the meeting, it is to be hoped, something will transpire at Washington which will aid us in making a good demonstration. The fuel to make the fire burn

bright must come from Washington. It appears to me that before three weeks you will have a volcano in the *Senate* or *House*, or *both*. That thirty million proposition is enough of itself to raise the devil. It is so ill timed, so ridiculous, that I don't see how it is possible it can be sustained by the party in power; yet, from all appearances, it will pass. The thirty millions is designed as *secret service* money, to be used by the President in the way of *bribery*, I suppose, and the whole world is made acquainted with the object. The rascals he expects to bribe are, many of them, in the confidence of the Spanish government. They will take his money and laugh at him *as a fool*. The great desire to acquire Cuba, and to throw before the country a new and exciting topic,—one which will override all others, and cover up the errors of this administration,—is the policy of the Democratic party. I am for Cuba if it can be obtained *honestly, fairly, and honorably*. There are two modes of getting it: one by purchase,—that is not possible; the other, by robbery,—whether it can be obtained in that way is a question. We shall have to whip Spain, England, and France to get it. No doubt we can whip the whole world, but it is worthy of some little consideration *how long* it would take us to do it, and how much money it would cost. These items require a little bit of ciphering. We are in debt now more than we can pay,—*where* is that thirty millions to come from? If the President means to rob Spain of Cuba, we ought to have as much sagacity as a common thief has, and do the job safely and gracefully. Let us wait till there is a rupture between France and England; this is not a good time to try the experiment. But enough of this. Douglas, I apprehend, will run himself out of breath trying to keep up with the Democratic party! They won't touch him; will hardly allow him to vote for their nominee; won't honor him so much as to let him *wash up the dishes*, and eat in the kitchen of Democracy. His policy is to prove to the Democratic party that he is a whole-souled Democrat and ought to be taken up for the Presidency; but he is playing the game *too low down*, and will lose the respect and sympathy of many of his followers; his going to that Slidell caucus was enough to damn him in the estimation of thousands of his own party. When *too late*, he will find himself compelled to take a bold stand, and to try to maintain it.

Carneal leaves this morning. *I am solitary and lone*. I won't abuse him. In fact, I have got him so completely *under cow* that I must say he has behaved like a gentleman these last three months. He is a *conquered rebel* as sure as you are born; it cost me a great deal of hard talk and quarreling to put him down, but he is meek, penitent, and humble; and I almost *shed*

tears to look at him. "The Queen" sent you this morning a noble chine in a box, with others sent by Bettie and Maria. You are the worst spoiled fellow in the world, at home and abroad. This morning "the Queen" had about a quart of rich cream, and said, "I wish I could send this cream to Mr. Crittenden." Said I, "I object to your sending *that* cream to Mr. Crittenden. I don't care about the *chine*, but there is not more cream there than I want myself."

J. J. CRITTENDEN.

Your true friend,

R. P. LETCHER.

In 1859 a lawless expedition was fitted out in the United States, under the command of Captain William Walker, intended to assail Nicaragua, a country with which we were at that time at peace. This expedition escaped from the United States—eluded a vessel stationed at the post of Nicaragua to prevent its landing. Walker established his camp, displaced the government of Nicaragua, and claimed dominion by right of conquest—claimed sovereignty by right of election. The President, having the power by law to prevent such expeditions, called the attention of Commodore Paulding and other naval officers to the state of the case, and bade them carry the law into effect. Commodore Paulding was lying with his ship in the harbor of San Juan, and William Walker was in sight of him, armed and prepared to make war upon a country with which we were at peace. What sort of warfare they would carry on had been clearly shown by the war in which they had been baffled. In a speech made in the Senate, Mr. Crittenden declared "that blood and ashes had marked their course," and upon blood and ashes the little, petty, miserable empire they presumed to set up was founded. Under these circumstances, Paulding landed within the limits of Walker's camp and arrested him. The President announced these facts to Congress, and declared "that Commodore Paulding had violated the neutrality of a foreign state, and had been guilty of *a grave error*." Mr. Crittenden said that in his humble judgment, which with diffidence he opposed to the President, there was no breach of neutrality on the part of Commodore Paulding. The law authorized him, and the President gave him power, to prevent the expedition. Commodore Paulding entered for the purpose of restoring the sovereignty of Nicaragua—entered the camp

claimed by Walker as his government "*de facto*" at that time. Besides, to enter a country with its permission was no violation of its neutrality. "*Volenti non fit injuria*" is the natural law, and this consent, like every other fact, may be presumed from circumstances and proved as satisfactorily as an express writing giving consent. Moreover, Nicaragua afterwards, in the most formal manner, thanked Commodore Paulding for what he did, and yet, said Mr. Crittenden, "here we stand declaring our gallant officer, who thus bravely did his duty, 'guilty of a grave error.' Sir, I want a correct judgment of this government to go out; I want it to have its future influence in all the great transactions of this nation; I want the right law laid down so that our officers may know their duty, and not be crippled and limited in their course of action. It is not proper that a mere opinion of the President, expressed when the case was but half before him, should be the rule of our naval officers all over the world. Now, a word as to Commodore Paulding: my personal acquaintance with him is slight. I speak but the sentiment of an American citizen in expressing my thanks to him for the bold and heroic manner in which he has performed his duty,—a duty that stands not only above all censure and imputation 'of *grave error*,' but which, in my opinion, entitles him to the thanks of all who regard the peace of the world and the proper execution of the laws of their country. Most cheerfully, most cordially, sir, do I tender him mine."

On the 4th of February, 1859, the subject of the destruction of the brig General Armstrong within the jurisdiction of Portugal, and the indemnity claimed by Captain Reid and her other officers, was the subject of discussion in the Senate. The brig was destroyed during our war with England in 1812, and Portugal was a neutral power. Mr. Fessenden, of Maine, whom Mr. Crittenden characterized as learned and cautious, asserted unqualifiedly that there was no law of nations making a neutral power within whose jurisdiction the property of one belligerent was destroyed by another *liable* for this destruction. Mr. Crittenden said he hesitated to place his opinion on any question of national or civil law in opposition to the opinion of a gentleman for whose legal and general abilities he could in truth and sincerity say he entertained the greatest respect; but he had never

been more astonished than on hearing this declaration made. Mr. Crittenden thought there was not one absolute ground upon which the claim could be defeated, and he was fortified in this opinion by the concurrent opinion of every statesman of the country from the time of the commission of the outrage by England. Mr. Madison, Mr. Monroe (a man greatly conversant with the laws of nations), and their cabinets of no ordinary ability, united in the opinion that Portugal was under obligation to indemnify. This matter had been brought to an end by negotiations; but Captain Reid had obtained nothing. The brig had been defended with the greatest gallantry; they resisted with a heroism that made the country thrill. The vessel was public to some extent, and private to some extent, but entitled in either case to protection and to claim for retribution for any wrong sustained. Mr. Fessenden declares the brig to have been a privateer, and says a *privateer* "is nothing but a legalized robber." "I deny," said Mr. Crittenden, "that a privateer is in any sense a legalized robber. *Privateers* are a part of the great national means of war—the great national defense."

At this point Mr. Seward interrupted Mr. Crittenden. "Allow me to suggest," said he, "that if we are ever to get a vote, it ought to be *now*. I am sure that I can say something in favor of this bill; but there is nothing I can say so effective as to ask its friends to *come to a vote*."

Mr. Crittenden.—"Mr. President, these are disagreeable interruptions. I am sure that the senator, Mr. Seward, knows that I feel kindly towards him; but I do not choose to be admonished in any such form; it is for me to determine *when* and *how long* I shall speak. I cannot submit in public to this sort of chastisement for what I may think proper to say! I was about to close, and, but for the gentleman's interruption, should not, perhaps, have occupied more time than he did in his unnecessary and *superfluous* suggestions. I hope the vote will be taken; it is not *now* or *ever* my temper to occupy the Senate with useless debate."\*

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\* Such extracts from speeches, where little flashes of temper and *personalities* arise, are always, I think, interesting; words spoken at such times are strong indications of character.



(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, February 9, 1859.

DEAR CRITTENDEN,—I wish you would make haste and come home. Your presence is absolutely necessary to the comfort of many of your best friends. Since you left, some of the leading aristocratic ladies, actuated, I *suppose*, by high principles of *economy*, have instituted a fashion which is by no means agreeable to me. They have formed an association called a *club*, and made their by-laws of the most rigid character. One of their miserable rules is to eat *once* a week, and then only to have *two dishes*, and *no more*. *Just think of it*,—eat once a week and have *but two dishes*! Who can live under *that stinted allowance*? I want this club to be broken up. The fact is, I have fallen off *twenty-five* or *thirty* pounds since this society was organized. The mere idea of one meal a week is enough of itself to starve a man to death. I have never joined the *club*, but from all I hear of the *two dishes*, not a *crumb* has been left so far. The members all look *lean* and *hungry*,—can scarcely walk. I took pity on two of them (Mrs. Cabel and Mrs. McKinley), and told "*the Queen*" for the Lord's sake to give them "*a poor man's breakfast*" (in a confidential way), which she did, and the way they ate was a caution! Don't be unhappy; *they sha'n't starve*; but the sooner you get home *the better*. I hope by this time you are tired of high life. Come home and recruit yourselves. Tell Mrs. Crittenden I am in correspondence with Josh Bell, and have a lively hope that he may yet be willing to run for governor.

Carneal will go from New Orleans to Washington, and return home with you. I miss the *old tyrant* very much. "*The Queen*" is well, and very anxious to see you.

Your cordial friend,

Hon. J. J. CRITTENDEN.

R. P. LETCHER.

There has always been a desire on the part of the United States to possess Cuba. This policy has been frankly avowed, and from time to time unavailing offers had been made to Spain for its purchase. In February, 1859, President Buchanan wished to renew negotiations on that subject, and a bill was introduced, "making appropriations to facilitate the acquisition of the island of Cuba." Mr. Crittenden looked upon the time and season as most unpropitious. We had not asked Spain if she would be willing to sell; and the declaration of such a purpose on our part seemed to contain something offensive. The government of

the Queen of Spain had also declared that they considered it offensive. Mr. Crittenden thought the negotiation difficult; but if the President could succeed, the more honor and the more glory to him.

Let him go on, and God speed him in his negotiation. It seemed to be considered that we were to pay a great price for Cuba; perhaps \$200,000,000. We certainly are not now in a financial condition to pay this or provide for it; we have had to borrow \$40,000,000, and so far as concerns the treasury, it renders a mournful sound when you knock upon it and ask for \$200,000,000. There is but a funeral response! But we have other difficulties. It was once the policy of this government to preserve amity and kind relations with all the states of North and South America, and we succeeded. They came into the world as free nations under our auspices. We were an exemplar to them. What has become of that feeling? Where is it, you rulers of our people? How have we lost all this? The good will of a whole continent is a mighty fund of national strength, and we have lost it. We are gathering up little accounts with these nations and making quarrels with them. Do these little clouds of war promise additional prosperity or increase of revenue to meet our debts? Fighting is an expensive luxury—there is cost in it. This bill proposes to let the President make war at his discretion. The power to make war belongs to the Senate and House of Representatives. We cannot abdicate it,—the people have given it to us as trustees.

The policy of this administration seems to be to search over all the *weak nations* of the American continent for little causes of offense or quarrel. It seems that a *Yankee* can no sooner go traveling abroad than somebody imposes on him, cheats him, or strikes him, and he comes to the government and makes a claim. I believe it is the Yankee Mr. Hopkins who says Lopez cheated him out of property in Paraguay. Be that as it may, we have now sent out a fleet consisting of I don't know how many vessels, bought and built,—the greatest armada we have ever sent abroad,—and to do what? To find Lopez, the Paraguayan chief, who I have no idea is comparable in ability or power to John Ross, the Cherokee chieftain. To this poor, little, obscure power we are revengeful for an injury! It is said that, in their inhumanity, they fired a gun at one of our ships, and robbed some property of Mr. Hopkins, who, I understand, never had any property. We have sent an armada to cross the ocean, with three thousand men on board, to take satisfaction from Lopez for the Paraguayan wrong done to Mr. Hopkins. I

think it was not worth while to send our *imperial eagle*, so eloquently spoken of, three thousand miles to punish a petty, dirty, chief of Paraguay. I must recur for an instant to a branch of the subject I have left behind, and say that I think our present President, with all his ability, and all his wisdom, and the *general conciliation* of his manner, is not exactly the best qualified for this negotiation; and I will tell you why I am afraid Spain will be particularly jealous of him. We remember in the political history of this country that a few years ago a letter was published, under the signatures of three of our foreign ministers to the most distinguished courts of Europe, of whom Mr. Buchanan was one. I allude to the Ostend letter, which was signed by Mr. Buchanan, minister to England; Mr. Mason, minister to France; and Mr. Soulé, minister to Spain. Spain was supposed to take offense at this letter. The doctrine taught in the letter was this, that if Cuba was more important to us than to *Spain*, if we offered what we thought a fair price, and *she* refused, *then* there was a sort of intimation that seemed to be so *evanescent* and *sublime* that it was a little hid in the clouds, but the result of it all was, to mortal ears and appreciation, "*then take it.*" The time seems to me inauspicious, but the President has the power to negotiate independent of us. Let him go on, the object is worthy of his efforts. When he has made a treaty, he must lay it before us, and then we will act on our responsibility.

As for the proposition to place thirty millions in the hands of the President to be used at *his discretion* in this negotiation, Mr. Crittenden would never consent to it. The exigency of the case did not demand it. He would never place such a temptation in the hands of the President,—the Constitution never contemplated it. "It was not the place of the Senate to flatter the President by such complimentary evidences of personal confidence. The Constitution does not trust him with a dollar. I will not say I have any want of confidence in the personal integrity of the President, but I reverence the Constitution of my country, and I will not destroy the balance of power which the Constitution intended to establish between the various departments of the government. Cuba is desirable. It is a rich and valuable possession; but if she was ours to-day, it would be with me a grave question if it would not be best to give her a qualified independence."

(J. J. Crittenden to his daughter, Mrs. A. M. Coleman.)

FRANKFORT, July 2, 1859.

MY DEAR DAUGHTER,—It is indeed long since I wrote to you, and it is strange it should be so, when you are so often, indeed almost constantly, in my thoughts, and when you and your children are so dear to our hearts. In this interval I have received many affectionate letters from you that are precious to me, and the more so, perhaps, because of my apparent neglect in not answering them. The last which I received was from Schwalbach, written on the 21st of May. I am pleased to learn that you are spending your time so agreeably on the famous Rhine and its borders. It must be not only charming, but invigorating to mind and body to look upon, and be in the midst of such scenes so beautiful by nature, and so interesting by history and romance. I may congratulate you, too, upon your unexpected meeting with ex-President Pierce and family. As you were to him a sort of *Germans*, as well as *country-people*, I don't wonder that he found the meeting agreeable. I am of course obliged to him for his attentions to you, but I can't understand *how* he can spend so much of his time in Europe, rambling about obscurely in a manner, I should suppose, to diminish and cheapen the dignity of an ex-President of the United States. Europeans must think that Presidents are *cheap* with us. By this time, I hope you have met with your brother George. I suppose he will make for the seat of war, but will see you on the way. We rejoice to hear that you will return to Kentucky in October. Do not leave any of the children. I shudder at the thought of such a separation, especially in time of war. Come, then, and bring all your children with you; we have set our hearts upon having you all at home again and within our arms. You never gave *wiser* or nobler advice than you gave me when you begged me not to think of the Presidency. I have never *sought it*. It shall never cost me the sleep of one moment. Love to all.

Your father,  
J. J. CRITTENDEN.

(James F. Simmons to J. J. Crittenden.)

PROVIDENCE, November 30, 1859.

MY DEAR SIR,—The purpose of this is to relate the substance of a conversation I had with our honored friend Mr. Clay in the summer of 1850, in which allusion was made to you, and, as your relations with him have been publicly referred to, it is due to him and yourself that you should know it.

I called upon Mr. Clay at Newport, in this State, soon after the accession of Mr. Fillmore to the Presidency, and in con-

versation inquired of him what relations subsisted between him and the new President. He replied that they were very friendly, and, to illustrate this, referred to the conversations between them in reference to the formation of his cabinet, in the course of which he said that Mr. Fillmore said he desired to invite you to take the position of Attorney-General, and regretted that the relations between him and yourself were not as cordial as they formerly were, to which Mr. Clay said to the President that circumstance should not prevent you, for he will make as good an Attorney-General as any man I know. As this was the first intimation I had of any alienation of friendship between you, I expressed my surprise and asked the occasion of it. He remarked that your intercourse was not suspended, but was not as cordial as formerly, in consequence of what had transpired in reference to the nomination of a candidate for the Presidency in 1848. I told him that I thought there must be some misapprehension or mistake on his part, and related a conversation I had with you near the close of the session of the Senate in 1847 upon the subject of the approaching election of President.

That I inquired of you what our prospects of success were for 1848; that you replied that you were sorry to say there appeared to be many difficulties; that at former elections we felt sure that we could have the use of his name as a candidate, and that the last convention was unanimous; but now, a year before the convention was to meet, the party was divided and distracted by a number of candidates, each having friends devotedly attached to them, naming, besides him, Mr. Webster, General Scott, and General Taylor, and that, knowing this, it was doubtful if he could be induced to accept a nomination.

I remarked that it was unfortunate to have too many good candidates, but had no doubt Mr. Clay was the choice of a majority of the party. In this you concurred, but said there was some reason to fear that Mr. Clay would decline being a candidate with a united party, unless there was reason to expect some diversion from the opposite party in his favor, and you was sorry to say you saw no indication of that; but that such a diversion appeared more likely to be in favor of some one less prominent than Mr. Clay.

I then remarked to you that a Democratic member of the Senate had told me that such a diversion could be calculated upon in case you was the nominee, and had requested me to consult you, when you replied that you trusted you should not be insensible to the value of such a compliment; but that the suggestion of your name would only add to the present complications, and begged that I would say nothing of it, and that

in deference to your wish I had not mentioned it. I told Mr. Clay that, from the whole character of your remarks at this time, there could be no doubt of the sincerity of your friendship for him.

Mr. Clay said he was very glad I had related this to him, as it changed the aspect of the case; and from his manner and remarks I believed it changed his opinion of it, for in all my intercourse with him I have felt that he was eminently just.

I am with great regard your most obedient servant,

JAMES F. SIMMONS.

Hon. J. J. CRITTENDEN,  
Frankfort, Ky.

(In Senate, January 3, 1860. Slavery Question.)

Mr. Crittenden.—I rise, Mr. President, for the purpose of presenting a resolution to the Senate. The times upon which we have fallen are of a very extraordinary character, full of danger to the peace of the country and even to the Union. The character of the times seems to me to require of us all ordinary and extraordinary efforts for the purpose of averting the danger which now so threateningly hangs over us. The measure which I am about to propose, sir, is of that extraordinary character, and I shall be at a loss for a justification or excuse for it unless it can be found in the perilous condition of public affairs, and in that great law, the safety of the people. I hope this measure may be productive of some good. I shall therefore lay it on the table, with all other measures tending to that object, to be considered by the Senate. I beg leave, sir, as the resolution is in my handwriting and perhaps not easy to decipher by the clerk, to read it myself.

Mr. Bigler, Mr. Given, and others. "Let them be read."

*Whereas*, The Union is in danger, and, owing to the unhappy divisions existing in Congress, it would be difficult, if not impossible, for that body to concur in both its branches by the requisite majority, so as to enable it either to adopt such amendments to the Constitution as are deemed necessary and proper to avert that danger; and *whereas*, in so great an emergency the opinion and judgment of the people ought to be heard, and would be the best and surest guide to their representatives; therefore

*Resolved*, That provision ought to be made by law without delay for taking the sense of the people, and submitting to their vote the following resolutions as the basis for the final settlement of those disputes that now disturb the peace of the country and threaten the existence of the Union.

Mr. Crittenden.—I will take occasion to say that the resolutions are the same that have been, perhaps, in the hands of

every senator for weeks, which were laid upon the table some time ago and printed; the same I had the honor of offering to the Senate, with the addition of two others proposed by the honorable senator from Illinois, Mr. Douglas, also printed, and in the hands of senators. Let them be read if gentlemen desire to hear them.

It was not my intention, Mr. President, knowing how this day is engaged, to interfere with gentlemen who have possession of the floor. If I were to enter on any discussion of this subject, it would occupy much more time than remains between this and one o'clock.

I would only invoke out of the fullness of my own heart the earnest and serious attention of my colleagues in the Senate on this subject. We are, sir, in the presence of great and startling events. We must act. It will be an open shame to the Senate of the United States, an open shame to the government, if, under such circumstances as now exist, this great nation is allowed to fall in ruins. Gloomy as the time looks, and unbroken as the clouds are which surround us on every side, and as little reason as I can see, as little solid ground as we seem to have to stand firmly upon, I yet have a conviction—it may be a superstitious conviction—that we will not be so unequal to our positions as to allow this ruin to come upon our common country, while we occupy such honored places among her rulers. It cannot be. The sacrifice to be made for its preservation is comparatively worthless. Peace, harmony, and union, in a great nation, were never purchased at so cheap a rate. It is a scruple only of little worth that stands between us and reconciliation, and we stand here pausing and hesitating about that little atom which is to be sacrificed. It may be, sir, that we are spell-bound in our party politics, and in opinions which they have generated and fastened upon us against our will; but I appeal with confidence to that great source from which we derive our power. When the people are in danger, and the people's institutions, I appeal to them with confidence. If *we* are at fault, if we cannot combine the requisite majority here to propose amendments to the Constitution necessary to the settlement of our present difficulties, the people can! Give us their voice and their judgment, and they will be our safest guide! This is not an appeal which, in any result, can prostrate the Senate of the United States. Not at all. I have too long shared in its honors, its dignity, and its independence, to desire ever to see that done; but I do hope that the representatives will respect, and regard, and give a proper influence to the sense of the people when fairly and fully understood; not more than it is entitled to, but the full measure of all it is entitled to. This is their govern-

ment. Its preservation is dearer, more inestimable to them, than to all the world beside. They have the greatest interest in it,—the greatest care for it. I have believed, and have often said to the people in the humble addresses I have been called upon to make to them, "Take care of the Constitution, my fellow-citizens, and the Constitution will take care of you. Take care of the Union, and the Union will protect and preserve you." This is the doctrine of the people, this will be the sentiment of the people, and they will give good advice as to how this matter ought to be settled. I look with full confidence to them; and so far from feeling myself—if I should sit here at all—humbled, or consider myself a submissionist (a term now commonly applied to *law-abiding* men), I shall walk proudly upon the highway they have pointed out, and more firmly and more surely when strengthened with their strength, and honored with their advice. If further means fail, let us avail ourselves of this, and make our appeal to the people. Sir, I will no longer occupy your time. I will not interfere with other gentlemen entitled to the floor.

(General Scott to J. J. Crittenden.)

NEW YORK, January 6, 1860.

MY DEAR CRITTENDEN,—My eyes were gladdened this morning at the sight of your frank, and I am most anxious to take you again by the hand. But first a word in reply to the suggestive inquiry you make. See the accompanying letter, "copy," which I communicate confidentially so far as regards Mr. W. He called upon me about six days ago, and in a free conversation won my esteem by his manliness and conservatism. Such overtures, in my opinion, should, for the public good, be met with prompt kindness and reciprocal good will. Mr. W. is no ordinary man. I made to him, however, and I have made to no other politician, no pledge, meaning, if brought forward as a candidate for the Presidency again, to have no other platform than the Constitution, and to make no new declaration of opinions, but simply to rest on the known antecedents of my public life. Now, my ancient friend, why should I visit Washington, unless specially called there by the War Department? My personal friends—and I have some in every party—stand at daggers' points towards each other, and there is ———, a man of genial manners, and who always approaches me with warmth, but with whom, although I am obliged to see him, I can have no intimacy, because I more than doubt his honesty. You know the party alluded to, for I explained myself fully to you when last we met. Still, I am restless and unhappy away from Washington. The state of the country almost deprives me of sleep, and sometimes I *dream* that I might possibly be



of some service were I at the centre of agitation. Gleams of comfort begin to break upon us,—the Rochester resolutions and Preston King's assurances in presenting them, the convention of manufacturers to be held in Connecticut, the Mississippi resolutions, etc. Upon the whole, I think I ought not to visit Washington unless things become decidedly better, or (which God forbid) something worse. Write to me freely.

I remain yours,

Hon. J. J. CRITTENDEN.

WINFIELD SCOTT.

(Amos A. Lawrence to J. J. Crittenden.)

NEAR BOSTON, Jan. 6, 1860.

MY DEAR SIR,—We have not thought much about General Scott's nomination, and probably shall not, unless you choose to recommend it. You are the candidate of the National Americans here, and they will not look elsewhere until you direct them to do so. Besides that, you have the confidence of the American Republicans (Frémont) here, and even of the Republicans of the conservative sort. As to the Whigs, they have pretty much disappeared from Massachusetts, so far as numbers are concerned, and their organ, the *Boston Courier*, with its editors, has favored the Democrats.

The only hope of doing anything effective here is in dividing the American Republican (Banks) party, and this can be done. The American portion of it can be brought up upon national ground, and the great reserved vote will vibrate to that side. You will see in the call of the convention at Chicago that the Massachusetts American Republicans are excluded by the clause which relates to the equality of citizens. Besides this, it contains nothing about the great manufacturing and producing interests of the country. The spirit here is good, and we admire the position of the Southern American members of Congress, and hope they will maintain it. If they go to the Democrats, they will damage the hopes of any successful action in this part of the country, and if to the Republicans, the effect will be bad.

What is wanted is a programme. If new members are to be added to the national committee, they should be selected with great care. Certain gentlemen, who may be known at Washington as representatives of the Whig or American party in Massachusetts, are not favorably known here. We do not want fossilized men, nor politicians. Please not count me in as one. I never held an office, and wish to avoid the appearance of wanting one.

If you will send me two notes of three lines each in your own handwriting, asking me whether the Union-loving men of Mas-

sachusetts are ready to unite with the opponents of the Democratic party in the other States for the defeat of that party and of all extremists, I will promise to organize this whole State in eight weeks, and to keep your notes out of the newspapers. All we wait for is the word of command. *Shall we have it?*

Respectfully and truly yours,

AMOS A. LAWRENCE.

(General Winfield Scott to J. J. Crittenden.)

NEW YORK, Jan. 27, 1860.

DEAR CRITTENDEN,—I write mainly to put you on your guard against Wyndham Robertson, Jr., a townsman of mine; he was with me some five minutes a month ago, just (as he said) from Europe, and *accidentally without money*. I lent him enough to take him to Richmond, where he said he was to become an editor of the *Whig*. I had no conversation with him about the Presidency; but here is a letter from him, dated Washington, yesterday, asking for *more money*, as he is there on a *mission* (God knows from whom) to organize the conservatives of all parties for electing me. He is a plausible fellow, and has probably presented himself as my special friend and agent. I beg to say that I have no missionary and no agent, and I have not written a line on the subject of the next Presidency *which you* have not seen. To some three or four persons I have said that *if* nominated and *if* elected—*two toll-gates* to be leaped by an *old horse*—I should feel myself bound to consider all *effective supporters* as belonging to one and the same party with myself, the people's party, the conservative party, or a party with some other *wholesome name*. I have stated that I neither expected nor desired a nomination from any existing party; but *if* brought forward I would have no platform other than the Constitution, and give no pledge other than my known public character. I have not heard from Senator — since his letter, to which I replied. I have heard, however, in a roundabout way that *that* senator and another (an old Whig and personal friend) were rather openly using my name as a candidate. If I had *aspirations* it might be profitable to *show myself* at once, for, instead of being superannuated, I am in the most vigorous health. In bright weather I read and write without spectacles. I dine, sup, drink, and sleep *like a young man*, and if I don't walk as well it is only because I am a *little lame* from a hurt in my left knee. If once elected, I fear I shall find it difficult to *avoid a second term*. I give you leave to retort, "Sufficient for the day is the evil thereof."

Faithfully yours,

WINFIELD SCOTT.

(General Scott to J. J. Crittenden.)

NEW YORK, Feb. 1, 1860.

MY DEAR CRITTENDEN,—I have received all your letters; that is, three. Mr. W.'s letter to me, written at Washington the day before your first, I supposed I had inclosed to you with a copy of my answer. It was *that* I begged you to return. I now fear I have dropped it where it may fall into improper hands. It is singular that Mr. W. wrote to me nearly in the language of your inquiry of a day later, on the part of many friends, to know whether I would accept, on my arrival at Washington (where I was daily expected), a *public dinner*. It was to decline *that* I wrote to him, as I did to you, the day after. I send back the copy of my reply to Mr. W. that you may understand my position towards him. My previous acquaintance with that senator was but slight. *Confidentially*, I have strong suspicions that he wishes to drop Seward.

With kind regards to my friend Mrs. Crittenden, I remain yours truly,

WINFIELD SCOTT.

(General Scott to the Hon. H. Wilson.)

DEAR SIR,—Your inquiry is as delicate as it is complimentary; I am obliged, however, to decline the proposed honor. I have not in many years been voluntarily present at a public entertainment, and this reason ought, perhaps, to render any other superfluous; but I deem it due to your kindness to add, *that*, finding myself in the present excited, *almost distracted*, state of our country looked to by many prominent citizens of every party for the Presidency,—a place I do not desire, and would not be thought of for except in a great emergency,—I think it my duty to *stand aloof* from any particular connection with either of the political parties. This is not timidity, but I hope a wise patriotism and a desire not to lose the chance of usefulness with the conservative of all parties in the threatened crisis.

Believing that, under like circumstances, *you* would be one of that number, no matter *who* the *leader*, I remain very truly yours,

WINFIELD SCOTT.

Hon. H. WILSON, Senator, etc.

(John P. Kennedy to J. J. Crittenden.)

February 7, 1860.

MY DEAR CRITTENDEN,—No paper by this morning's mail. I have thrown together some passages for the address, but do not attempt an entire paper, because the expected address pre-

pared by Marshall and Brooks will, I have no doubt, leave little to supply. From my not receiving it this morning, I fear it will be impossible to complete the entire structure of the address in a condition for publication in time to suit our friend Graham's convenience, as he says he must set off for home on Friday. I therefore propose that *he* (Marshall), and any other member of the committee who may be in Washington, shall come over and dine on Thursday, and that Conrad and yourself shall join them, and, whether we have the address complete or not, we can talk it over and adjust the points for my instruction in preparing the final form.

I beg you to let me know, at the earliest moment, whether they will come on and dine, and who will come. I must know by to-morrow evening.

Hon. J. J. CRITTENDEN.

Yours truly,  
JOHN P. KENNEDY.

(F. P. Blair to J. J. Crittenden.)

SILVER SPRING, February 16, 1860.

DEAR CRITTENDEN,—I send you Frank's late speeches in the hope that you may glance at them. I am anxious that you should read the last portion of his New York speech, as he has taken a *leaf out of your book*, and made it the platform of the Republican party. I have very little doubt but that the Republicans (whose paramount feeling is the preservation of the Union as formed by the men of the Revolution) will adopt their policy to defeat, with the least injury to the public interest, the schemes of the party seeking a separation of the States. The malcontents, who keep up a clamor about slavery, who broke up the Missouri Compromise, who taught John Brown his lesson in Kansas by their oppressions and murders, who sought to put a yoke on the people by a constitution, the work of fraud and force, and who now continue the wrong by refusing to admit the State under their rightful constitution, have nevertheless obtained all they can demand for slavery under a constitutional sanction by the decision of the Supreme Court. *This* does not satisfy their ambition, and they are resolved to *go out* of the Union, make a conquest of Mexico, and reduce that country, with its hybrid population, to slavery. They know that the free States will not co-operate in this scheme, and hence all the plans of the nullifiers converge in that of a dissolution. If the Republicans should make a nomination which would justify alarm among the slave-owners that their property was endangered, it would be playing into the hands of the enemies of our government. I am convinced they will take no such unwise course. They will nominate some man from the slave

States. If you should not be *selected*, I am sure it will at least be one with whom you can cordially unite in giving direction to the government. Let me beg, therefore, that in your speech you will lay down some broad platform on which the whole Union party of the nation can unite. You are the head of the Senate, and will be far above the head of the government, if you give your native courage and more than lip-cherished patriotism scope.

Your most affectionate friend,

Hon. J. J. CRITTENDEN.

F. P. BLAIR.

(R. P. Letcher to J. J. Crittenden.)

FRANKFORT, March 1, 1860.

DEAR CRITTENDEN,—I have not written to you for several weeks because of rheumatism. Our convention was large and respectable. Your being recommended for the Presidency *was the point* I had most at heart. It won't hurt you in any event. Some of our friends are opposed to our running a candidate,—Josh Bell, I think, is of that number. I have very little patience with such lukewarm Christians. If we have no candidate our party will be absorbed in the Democratic party in this State. A good many are inclined to Douglas; at any rate, I am not of that number. It appears to me that Douglas's chance of being nominated at the Charleston convention has increased a good deal, but I still think he cannot succeed. If he does, then I think Bates will be the Black Republican candidate. You know better than I do how matters stand.

Carneal is more agreeable than ever. I never saw a man improve *so much*. I can't force him to enter into an argument.

Your friend,

Hon. J. J. CRITTENDEN.

R. P. LETCHER.

In 1860 there was much excitement and discussion in the Senate on the subject of Thaddeus Hyatt, a contumacious witness, who had been summoned by a senatorial committee to give information with regard to facts, I think, connected with the John Brown trouble at Harper's Ferry. The witness, upon the summons, refused to attend. Mr. Crittenden declared this to be a contempt in law. He said:

This citizen, upon his private understanding and his conscience, as it is called (and I know of no better depository for the most occult and inscrutable deposit of a secret than what a man *calls his* conscience), in his individual person, undertakes to set up an opposition to the laws,—and great sympathy is excited for the offender. What will become of the administra-

tion of the laws, if such anarchy can be set up by an individual under the standard of an unknown conscience? I am for no such liberty as that. It is obedience to the laws which constitutes our liberty; yet the honorable senator from New Hampshire (Mr. Hale) is thrown into transports on this subject. He sees in the power to summon a witness an unheard-of, tremendous, indefinable, immeasurable power which is to root out the liberty of the citizen. He feels a sympathy which knows no bounds for the man upon whom this terrible oppression is imposed. I think the *individual* has no claim for sympathy. It is conscience against law that is the condition of the individual. Each branch of Congress has a right to make investigations, and, in consequence of it, a right to summon witnesses without the concurrence of the other House. Our witness, instead of answering for his apparent neglect of our summons, turns upon us and becomes our accuser; says to us, "You had no right to institute this inquiry. Where is your authority?" And a sort of *capitulation* is now proposed to the Senate of the United States, that we shall make an implied apology for our irregular proceedings, and direct the witness to be discharged, and then send him a polite note,—an invitation in this form, "As we had no right to *exact* your attendance, *do be so good* as to wait on Mr. Mason and his committee, and tell him, if it suits you, what your conscience will permit you to disclose." We may regret that the poor man should be so bewildered by his conscience as to think its whisperings a sufficient excuse for disregarding the constituted authorities of his country. I have remarked with great pleasure that the senator (Mr. Hale) expresses himself strongly in favor of the Union. I think I have no States rights friend who goes by any means so far as himself in his States rights doctrines. It seems to him an oppressive proceeding for Congress to summon a man out of the State in which he lives as a witness. He seems to think the States are secured from the touch of authority by this government. What, then, is the limit of its authority? The District of Columbia? I think my friend from New Hampshire has indulged a little too freely his zeal and his ardor for liberty on this occasion. I hope the *individual* will reconsider, will look calmly upon his duties, and be better advised than to stand in contumacious opposition to the laws of his country, and endure the *prison* to which I shall regret to send him. I shall feel it my duty, so far as my duty goes, to impose upon him this punishment till he obeys the laws. I am bound to submit to the law; you and all of us are bound to comply with it.

## CHAPTER XI.

1860.

Washington Hunt to Crittenden—Senate, Consular Appointments—Letter to Hunt—Senate, Homestead Bill—Crittenden to Hunt—Letter from St. Nicholas Society—Leslie Combs on Senator Crittenden at Baltimore Convention—Letter from Edward Everett—Senate, African Slave-Trade—Relations of States—Resolutions of Mr. Davis in the Senate, 1860.

(Washington Hunt to J. J. Crittenden.)

NEW YORK, April 9, 1860.

MY DEAR SIR,—I thought seriously of writing you on political matters some time ago, but concluded that it would be difficult for me, living in retirement on the outer border of the country, to impart any useful information to you, a veteran actor and observer, stationed at the great centre of political light and intelligence. It seemed a little too much like offering to “teach war to Hannibal,” therefore I remained silent. Of course it is unnecessary for me to assure you that your views, and sentiments, and principles are identical with mine. It has been my pride for years and years to look to you, and follow you as my leader and guide, on all the great questions of national interest. The present condition of affairs is complex and difficult, yet I feel very confident that on a full explanation of views there would be no difference of opinion between us on points of expediency touching our future action. I am prompted to write you at this time because it would seem that a letter written in the *Tribune* has produced a wrong impression in regard to my position. I have said or done nothing to warrant the sweeping conclusions of that letter. After the time was fixed for the Baltimore convention, I received two or three letters from friends on that subject; and in reply I expressed regret that a later day had not been chosen. It seemed to me desirable that we should have the action of the Chicago convention as well as Charleston before taking our final stand. But the question was not free from difficulty, and perhaps I took a mistaken view. I am not disposed to be exacting on questions of mere expediency; and when the point is decided by a majority of my friends, I am accustomed to acquiesce cheerfully. The point is now settled, and I do not wish to revive or to argue the question.

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In the present position of affairs, there are two great dangers or evils to be averted, if possible. The first danger is that all the Southern States will vote for the Democratic candidate; the second, and perhaps the greater, is that nearly all the Northern States (enough to elect) will vote for the Republican candidate. We must endeavor to guard against either of these results. In this State, as in most of the free States, the masses are absorbed in one of the main parties, Democratic or Republican. But in several States the conservative men have sufficient strength to turn the scale. We think we have the power to do it in this State. Many of our friends are very reluctant to commit themselves in such a way that they will not be free to act effectively in case they should finally judge it to be necessary, in order to save the country from the calamities that would result from a sectional triumph in the presidential election. At one time we had hoped to see the whole opposition unite on a conservative candidate; but this hope is almost dispelled. I expect to see them choose a sectional agitator at Chicago. In that contingency, I have no fear that you and I will differ in opinion as to the course of duty for conservative men, in some at least of the free States.

I expect soon to be at Baltimore. I hope to see you before the convention organizes, for I wish to explain my views more fully than the limits of a letter will admit. I will give you my opinions with perfect frankness. At the same time I will promise to defer to your better knowledge and superior judgment. On a free interchange of sentiment, your opinions will surely be conclusive with me. The state of parties is very unsatisfactory. My personal inclinations would lead me to keep myself far away from the strife; but our country is here with all its glorious institutions, and we are bound to preserve them if possible. For one, I cannot shrink from my just share of the responsibility.

I remain, as ever, with great regard, yours faithfully,

WASHINGTON HUNT.

The Hon. J. J. CRITTENDEN.

(Senate, March 27th, 1860. Consular and Diplomatic Bill.)

Mr. Crittenden.—I shall vote against this amendment. I think one of the evils and burdens of the day is the multiplicity of our ministers abroad and the multiplicity of our treaties; they are almost overwhelming. I do not wish to add to their expense or number by sending a minister at an expense of eight or ten thousand dollars a year to Paraguay. We have a consul there through whom, it seems to me, we can keep up all the civilities and courtesies that are necessary between this republic and the



republic of Paraguay. It has not seemed to me that our good understanding with foreign countries, particularly with the small governments of South America, has at all corresponded with the number of our ministers. Each and every one of them seems to have an ambition to negotiate. He *must* do something; he must come home in a short time, and *must* bring along with him some title to the nation's attention and gain renown. *A treaty* he must have, or his time has been misspent, and in making that treaty he is most likely to get into one or two little quarrels. I think, therefore, our peace with nations of this description will be best preserved by consuls, who, having no diplomatic ambition, no thirst to raise little strifes, in order that petty treaties may follow, will be willing to act as mediators in respect to all due courtesies. I am totally opposed to the multiplication of this class of officers. Often, very often these appointments may be considered much in the same character of those which Mr. Bright, of England, denominated a multitude of their diplomatic appointments,—“a sort of outdoor relief given to poor nobility;” we may say, “given here to unfortunate politicians.” I think the expenditure a useless one, and hope the amendment will not be made.

There are few gentlemen in the body or out of it for whom I have more respect than for the senator from Virginia, Mr. Mason. I simply differ with him as to the propriety of sending this mission. I have a deep and abiding conviction that in many instances these missions do more harm than good. They want to do something; they get up a little strife; then we have a treaty, and the Senate is called upon to ratify it; and through all this grand process the name of the negotiator is necessarily canvassed, and *he* acquires, as he imagines, a something like *fame*. This is ambition!

Now, my friend from Louisiana is not entirely correct, though he is so in general. He has known of no mission which has been discontinued. I will tell him of one.

On one occasion, while I was temporarily acting, in the absence of the Secretary of State, performing his duties for a week or two, there arrived here an old friend of mine, one whom I valued highly, and he told me he had been abroad. He had been sent out as minister to some small republic in the mountains of South America,—Bolivia, Ecuador, or some other point. He gave me an account of his travels and of the country. He had traversed the Andes, and scaled the Cordilleras, and at last reached the spot where he was told he would find a government,—the government, indeed, to which he had been sent. Upon inquiry, he was told that the government had left there a few weeks before and gone farther into the mountains.

There was, however, a fragment of the late government,—a man hovering about who had been secretary of war. So he addressed himself to said secretary of war as approaching nearer to the character of a government than anything else he saw or heard. He had had a disagreeable journey through the mountains, and was no doubt in a bad humor to find his government escaped. He fell foul of this secretary of war with his diplomatic correspondence. He was not very well versed in diplomacy, and I suppose his letter was not very courteous. He received a reply in consonance with his letter, which he immediately followed by a peremptory challenge to fight a duel. [Laughter.] He thought that mode of settling belonged particularly to the department to which he addressed himself, and challenged him immediately to mortal combat. Not being able to obtain a meeting with this secretary of war, he abandoned the country as utterly unworthy of all further negotiation or treaties of peace whatever, and came right home. That was the end of his mission. [Laughter.]

So there has been one mission discontinued. I admit it is seldom the case that such things happen; but to speak seriously, Mr. President, I do believe these missions do no good. I know that consuls cannot occupy or fulfill the whole diplomatic character, but they are officers of the government, and can be made use of for communication between other governments and ours. I do not see that any diplomacy is necessary between Paraguay and ourselves. We can get along without this mission. I would use every means to prevent Paraguay considering it a discourtesy. We are friends, and I think our business can be arranged by consuls. We wish peace, and friendship, and courtesy with her. Cannot all this be accomplished without the costly machinery of a diplomatic mission? I object to the amendment.\*

(J. J. Crittenden to Mr. Hunton.)

April 15, 1860.

DEAR HUNTON,—I have had the pleasure to receive your letter of the 10th inst. It gratified me much, as your letters always do. I am tired of the life I am leading, and feel impatient for the end of my present senatorial term, quite prepared to retire to private life, and look forward to that repose with much gratification. I don't think this is the discontent of a *disappointed* politician, but I am tired of public life. Disgusted with the low party politics of the day, and the miserable scramble for place and plunder. I presume that I could obtain the nomination of the Union party for the Presidency, but I don't

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\* This speech, being short and amusing, is given here entire.

desire it, and have all along and repeatedly declined, and warned my friends that I did not wish to be considered a candidate. If there can be a state of things deserving to be called political, in which there is nothing but party and personal objects without any apparent patriotic purpose or consideration of the country's good, we are, as it seems to me, just in that state. The feeling between the Democratic and Republican parties is as bitter as it can well be. Numbers of delegates to the Charleston convention are now here on their way to that assembly. *Who* will be their nominee is now the question fiercely contested. The opponents of Douglas are very hostile to him, and will defeat him if possible. His friends, I believe, are also quite confident and determined. My impression is that Douglas will be the nominee. But whatever may be the decision of the convention, a great schism, it is thought, must follow. Among many Republicans here a strong impression prevails that Seward will not be nominated by the Chicago convention, but my conviction is clear that he will be. His nomination will produce much discontent in that party. The schisms and discords thus inevitable in both these parties must, it is thought, bring great accessions to our new Union party, and it seems to me that is a fair conclusion. We expect to have a large and respectable convention at Baltimore. I do not know *who* they will nominate, and am persuaded that they will act wisely and prudently. I do not much care so that I can escape and get off smoothly. I trust that you will not be in the least influenced by my course. There may be *contingencies* in which it might possibly be the duty of the Union party to vote for the Democratic candidate; and in the contemplation of such a contingency, I would not consider it at all strange that any one, standing as free and unconnected with parties as you do, should hold himself in reserve till he can see the whole case, and then decide according to his sense of duty. It does not surprise me that you find yourself in this condition. If you leave Kentucky, I should prefer your going to St. Louis, because I should probably see more of you there; but if you have made money enough, and are prepared to quit that *drudgery*, why should you not settle near us at Frankfort, or somewhere else in Kentucky which we might agree upon? For myself, I do not intend to take any more trouble, or even *thought*, about *money-making*. It will not require much to satisfy a man of my moderate desires, and my maxim shall be, "Poor and content is rich enough." Indeed, I am quite resolved to live at my ease, and as much like a Christian gentleman as I can, eschewing politics, and leaving the Union (with which I have been so long troubled) to take care of itself. Now, sir, if you have the taste for such society, you

may have the opportunity of participating in it. Love to your wife and family, and forgive this long and tedious letter.

Your friend,

J. J. CRITTENDEN.

The disposition of the public lands had always been a subject of great interest to Mr. Crittenden. He opposed the homestead bill, or at least a part of the fifth section of that bill, which was before the Senate on the 20th of April, 1860. This was the language of the bill: "That if any person, *now or hereafter* a resident of any of the States or Territories and *not* a citizen of the United States, but who, at the time of making application for the benefit of the act, shall have filed a declaration of intention as required by the naturalization laws of the United States, and shall have become a citizen of the same before the issuing of the patent, as provided in this act, he shall be entitled to all the rights conferred by this act." Mr. Crittenden moved to strike out the words "now or hereafter," and to insert "who at the passage of this act *is*," and Mr. Crittenden affirmed that the old Congress, which adopted the original system for the disposition of the public lands, knew well that they ought not to be held merely as a source of profit, to be disposed of with a view *only* to pecuniary advantage; they were influenced by a greater principle: their design was to promote the great agricultural interests of the country by disposing of them to those who desired to cultivate them at a low rate. Mr. C. believed that every change which had been made in the old system had impaired its wisdom and its simplicity. The present policy, to which he was sternly opposed, was to give away the public lands; that is, to offer them at the merely nominal price of twenty-five cents an acre. This seemed as if we were in a hurry to get rid of this great national inheritance—this mighty legacy for our posterity. The lands were now offered to the world, to all tribes and all kindreds. These lands belonged, in his opinion, to the children of the republic, and should not be lavished upon emigrants. In a little while, a few generations of our own children would require all our public lands. These generations are coming, coming, like the waves of the ocean. This was not the property of the Senate, only held *in trust* for the people. Mr. C. wished to know who were to be the bene-

ficiaries of this law,—thousands in the old States were so situated that they could not move. This bill gave the land to a floating class, a class *willing to float* for one hundred and sixty acres of land. It was thought, when the bounty-land system was adopted, that the tired soldier, with his hand unstained with plunder, would receive from his grateful country a warrant for one hundred and sixty acres of land, would settle upon it, be happy and contented, and raise up children for the Commonwealth. These were the fancies of orators; senators knew better. Perhaps not one in a thousand of those men ever settled there. The bill was marked with inequality; we have a large and rapidly-increasing family, and should not give away our land to strangers. We have borne all the hardship and expense of acquiring this domain, fought for it, driven off the Indians, and hedged it round in security. Mr. C. declared that he would not consent to give these lands away to foreigners,—his amendment to the bill confined it to those *now* in the country.

(J. J. Crittenden to Washington Hunt.)

WASHINGTON, April 25, 1860.

MY DEAR SIR,—I have received and read with the deepest interest your letter of the 9th instant. The expressions of regard and personal confidence which it contains are highly valued by me, and I beg you to accept my very sincere and earnest acknowledgments. The views suggested by you in relation to the Baltimore convention are worthy of the most serious consideration, and the convention will, I trust, be moderate and wise enough to dispose of them properly. I think it will be a very able convention, and I have great confidence that its course will be marked with moderation and wisdom. We shall have there many experienced and distinguished statesmen, and *they* will be our security against any foolish or unadvised course. Guided by their counsels, our party may probably be made available for great public good. Our convention will have much more to consider and decide than a mere nominating convention would have. The Charleston convention, now in session, may terminate in a manner to give a great importance to the deliberations of our Baltimore convention. I must urge you to attend without fail. I shall be glad to see and converse with you before the meeting of our convention. The distractions which we hear are now prevailing at Charleston leave it doubtful whether they will make any nomination,—

whether they will divide, or make two nominations, or break up in anger or confusion. The result can hardly be such as not to present to us new and important views and subjects of consideration. We shall want your presence and counsel, and you must not fail to attend. The distraction that may be produced by the Democratic convention will impose upon us new responsibility and make great changes in our course of action. Under all circumstances, we must do nothing idle or ridiculous, nothing to compromise the good sense, patriotism, or dignity of the convention. Questions of great importance will be before it; *they* must be properly decided, and we must have your assistance. In regard to the mere nomination of candidates, I am persuaded that our convention feels itself not only uncommitted but without a preference, and free to choose. This is fortunate, and will give entire freedom in its course of action. Our convention should act for the whole country, as though it represented the whole country. These we must discuss when we meet. I had intended to write you a few lines and have troubled you with a long, rambling letter.

Excuse me, and be assured that I am your friend,

J. J. CRITTENDEN.

Hon. WASHINGTON HUNT.

P. S.—Come here some days before the meeting of the convention. You will, no doubt, find Rives, Stuart, Badger, Graham, etc., and you can consult about all that we should do.

(Charles Roome to J. J. Crittenden.)

IRVING PLACE, EAST FIFTEENTH STREET, NEW YORK.

Hon. J. J. CRITTENDEN.

DEAR SIR,—A few evenings since the stewards of the St. Nicholas Society sat down to the "settling dinner," which is a family affair like the "fasting dinner," at which you did us the *honor* to be present. Mr. Verplanck, Mr. Van Buren, and other friends of yours, were with us, and many were the kind wishes expressed for your welfare and happiness. Mr. Verplanck, in an address (in reply to a toast), spoke of his friend Mr. Crittenden at considerable length in a manner that would have gratified you, I am sure, could you have heard it. It was certainly gratifying to us, for while he declared his opposition to certain political views which you (and a number who were present) hold to be best calculated to advance the honor and prosperity of our common country, he spoke with warmth of those noble qualities of head and heart which endeared you to your friends, and commanded the admiration of your countrymen of all parties. He mentioned you having aided us in getting up our toasts,

and said I must send you a printed copy of them, which must be my excuse for trespassing upon your time. In your contact with the distinguished men among you, we doubt, sir, if you will find warmer hearts, or more honest ones, than you have sitting up in the little circle of Knickerbockers, who trust you will never forget them, and who will always be happy to see you when you honor our good city with your presence.

I am, sir, very respectfully, your obedient servant,

CHARLES ROOME.

(General Leslie Combs on Senator Crittenden, in the Baltimore Union Convention, just before the balloting for a vice-presidential candidate began.)

MR. PRESIDENT AND GENTLEMEN OF THE CONVENTION,—A few last words before we part. I am about to leave for home; but before I go I desire to say something in reference to the gentleman whose name was presented to the convention this morning by the Kentucky delegation, Hon. John J. Crittenden, because I desire that these words shall be put upon the record of our proceedings. I have been his personal and political friend all my life. He has been in the service of the State of Kentucky almost all his life. He was sent to the Senate of the United States at the age of thirty, and for forty odd years he has served his State faithfully [applause]; and although his modesty, his unselfishness, forced us to withdraw his name to-day, I wish to say that his record for forty years will compare in high aims for patriotic deeds and unselfish services to his God and his country with that of any other man in this or any other country. He entered public life without a blot upon his name. Bold, fearless, and generous, he has left the service of his country as he entered it, without a blemish. Could a Plutarch of the present day write his history, and run a parallel between him and ancient sages and orators, he would be compared with Cato for honesty, with Julius Cæsar for courage, with Aristides for justice, and with Cicero for eloquence,—and he would equal them all! That, gentlemen, is John J. Crittenden of Kentucky; and I appreciate him more highly than any other man on the face of the globe. If we had allowed him to be nominated this day, there is no telling what would have been the result. I have felt it my duty to say this much for him. He will retire from the public service and political theatre upon the 3d of March, 1861, and my friend Breckenridge will take his place, a man of whom it has been said—but *I* will not say it. He has done less for the Democratic party, and received more from it, than any other man in America.

(Hon. Edward Everett to Washington Hunt.)

BOSTON, May 14, 1860.

MY DEAR SIR,—Colonel Seaver handed me yesterday your official communication of the 11th, with your private note inclosed. For the friendly tone and purport of both I pray you to accept my warm thanks. The nomination of the Vice-Presidency was not only unexpected, but wholly unthought of by me, and embarrasses and distresses me. I could not be ignorant that I should be thought of as a candidate for the Presidency. Many private letters and friendly journals in different parts of the country had spoken of such an event, though never with any encouragement or *stimulus* from me. The convention in this city, at which delegates were chosen for Baltimore, had named Mr. Crittenden and myself, giving him very properly the precedence, but no intimation of which I could take notice was ever made to me that I should be brought forward. A few days before going to Baltimore, my friend Hillard asked me semi-officially if I would accept a nomination, and wished to know what he should say if he were asked the question at Baltimore. I needed no time to make up my own mind, but I thought it due to the importance of the subject to tell him I would consider it and write him a word, adding that he knew my intention and wish not to return to public life. On the morning of the 9th (the day on which the convention met), I sent him this telegraphic message: "Withdraw my name at the proper time; more by mail." At the same time I dropped a letter to him into the post-office, of which I inclose a copy. At the first ballot, the vote was so strong for Messrs. Houston and Bell that on the second ballot my friends from Massachusetts and elsewhere, with a few exceptions, very properly withdrew their votes. Unfortunately, my friend Hillard forbore to state to the convention that this was done at my own request, and that I did not wish to be voted for. There was no balloting for Vice-President, and my nomination was carried in a way which took my friend by surprise, and gave him no opportunity to withdraw my name. Whether he was in possession of my letter at the time, he has not informed me, but I presume that he was,\* and that it led him to state, as he did, that he could not answer for my acceptance.

Had it been known to the convention that I had, both for reasons personal to myself and for the sake of promoting harmony in the convention, withdrawn my name as a candidate for the first office, they would not, I suppose, have named me for the second.

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\* Such was the case.



I am now, as I said, embarrassed and distressed by the nomination. I cannot decline it without seeming to throw cold water on the movement, or to manifest discontent to the preference given to Mr. Bell (and nothing can be further from my wish than to do either), or I must wear before the country the appearance, after frequent expressions of a purpose to retire from public life, of having stood as a candidate for nomination as President, and failing in that, accepted the nomination of Vice-President.

Still, however, as no evil will result from my retirement when the circumstances are explained, and as a recommendation of the Executive Committee of some other person—yourself before any other—can be made without difficulty, I rely upon the considerateness of my friends to allow me to excuse myself.

This, dear sir, is a private letter. I am earnestly requested here to withhold my official reply for a short time; and, with some doubt of the expediency of doing so, I shall, in compliance with their wishes, take that course.

With much regard, truly yours,

EDWARD EVERETT.

To the Hon. WASHINGTON HUNT.

(In Senate, May 24th, 1860. African Slave-Trade.)

MR. CRITTENDEN.—I do not rise to prolong this debate for many moments. Here is a case of practical duty, a practical necessity, for providing for a particular case. This bill provides for that and such others as may occur like it hereafter. It meets the exigency of the case in the opinion of those who advocate the measure. We have been led into a debate of indefinite extent as to the power of Congress to prohibit slavery. What are the implied obligations upon us in regard to these captured slaves, and whether the power ought ever to have been exercised by Congress of prohibiting the slave-trade? Those are the questions suggested in this debate, and if pursued, might consume an indefinite period of time. Is it not better, sir, to perform that duty which is right before us, which we can see clearly, which, if we will, we can do completely? Then we may hope to put an end to this sort of legislation. On the other hand, if we wait until we have meditated upon the subject, and have made up our minds upon all the great issues past, present, and future, which have been suggested, and *then legislate*, the present necessity will have passed away, the present duty will have been neglected. This is an urgent duty,—something to be done now. Wait but a month, and you have violated that duty; a portion of the very objects for which you are now called to legislate will have perished, or, what might be

still more touching to our sympathies, they might have created a pestilence among our own countrymen in their vicinity. The senator from Virginia is willing to make provision for this case. This bill does no more. Let us pass this bill. If that meditation to which the gentleman has invited us shall enable us to make a better and wiser provision on this subject hereafter, let us do it; and, in doing it, we can dispense with and annul any provisions of law we make now. The passage of this bill will not preclude us from that meditation and better legislation which the gentleman assures us further experience and reflection may enable us to adopt. I see nothing here but the simple, isolated question between those gentlemen who think that the performance of this duty requires of us not only to land them upon the shores of Africa, but to land them there with a provision that may enable them to reach their homes, and those who think we ought merely to land them upon the shore. This is the only real practical difference of opinion. I cannot agree with either of my friends from Mississippi on this subject. To land them there would indeed be performing our contract to the letter; but we read in the good book that "the letter killeth and the spirit giveth life." To land them upon the naked, barren shores of Africa would be literally to kill them. If you are under any obligation to return them, that same obligation binds you to land them in such a form and manner, under such protection, and with such means of subsistence, as will enable them to reach their homes, and be restored to their former condition and rights, whatever they might have been. That is our duty! I am for performing it "in the spirit," and would much rather go a step too far than to stop one inch short of that measure of justice due to beings situated as they are. I am anxious to close this debate, anxious for the passage of this bill. I want to show a promptness on the part of the American people to fulfill our treaty obligations, and perform the duties which the laws require of us. As to the suggestion that the President of the United States shall be required to have these negroes apprenticed, or hired out for a term of years, and out of the profits arising from this to send them back to Africa, I appeal to any gentleman if he would not prefer to send them back at the public expense than undertake to execute any such theory as that. What!—the President of the United States to be engaged by himself, or through an agent, in hiring out this year and that year, to a good master or a bad master, these poor speechless savages, and out of the miserable gains and profits made from their labor to raise a fund to send them back to the country from which your people have dragged them? That is letting them work their passage back with a vengeance. Is this

sending them back? Sir, I do not want the land to be troubled with them! They are useless to us. We do not want them. Send them back, and get rid of them, and be rid of the sight of the crime our countrymen have committed against our laws. Send them back, no matter what it costs. I wish to be economical in every matter, even in humanity. Economy is a virtue that applies to everything, to the performance of every duty. Let it be done as economically as possible. I think this bill is pretty stringent. It is framed with a view to execute, substantially and fully, our obligations on this subject. I am for it as it is. I will try no such experiment as is proposed by the gentleman from Florida, nor will I consent to give up a single provision that the bill contains. It provides simply and clearly for the existing evil, and for all others like it which may hereafter occur, and saves us the trouble of perpetual legislation on the subject.\*

(In Senate, May 24th, 1860. Relations of States. Resolutions of Mr. Davis, of Mississippi.)

Mr. Crittenden.—I understand the question now is on the first resolution. To the substance of that resolution I not only have no objection but I heartily approve it; but in regard to the first part of it I wish to ask a question. It says:

"That in the adoption of the Federal Constitution, the States adopting the same acted severally as free and independent sovereignties, delegating a portion of their powers to be exercised by the Federal government for the increased security of each against dangers domestic as well as foreign."

Now, taking this in connection with some remarks made by the gentleman from Virginia, Mr. Mason, a few days since, I do not know but that gentleman intended, by the language used here, "the States adopting the same," to establish a constitutional doctrine upon the subject. I had supposed it was not the purpose of these resolutions to raise that question. I wish, however, to know from my friend from Virginia, if he supposes——"

Mr. Davis.—It will give me great pleasure to answer the senator from Kentucky, and I think probably I can do so most briefly by stating that in 1837 and 1838 this exact question was before the Senate, and was argued by men who have been considered the ablest in our history as debaters, and not only voted upon it but with such concurrence that the minority vote against the proposition was so small as to be scarcely observ-

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\* These short speeches, upon the questions then agitating the country so profoundly, are given here entire.

able. It was admitted to be true constitutional doctrine, and I have borrowed the language from the resolutions of that day.

Mr. Crittenden.—I had the honor to be one of the men who took part in the debate on the resolutions at that time, though not certainly of *that class* to which the gentleman has particularly alluded “as the greatest and best men of the country.”

Mr. Davis.—I would include the senator among that class, and the country certainly includes him among them.

Mr. Crittenden.—I did not intend to make any question about it, but to avoid all egotism by saying simply I was there. I know the question was then made. I wanted to ask the senator from Virginia whether he supposed that it affected the character of the government which was established, whether it was done by the States or by the people.

Mr. Davis.—Oh, yes, materially, I think I will say in the absence of my friend from Virginia. To say that it was a government established by the *States* and not by the *people* is a material distinction.

Mr. Crittenden.—On that question I have a different opinion. It has seemed to me that the Constitution having been made and its obligations acknowledged, it was not the less sacred for having been made by the States or by the people. It was the same instrument; it had the supreme authority of the United States for its sanction in one form or other. I wished to know whether, in the opinion of the gentleman, holding that it was made by the States, they considered it varied the character of the Constitution or the character of the government formed under it?

Mr. Davis.—There is so much confusion in the chamber that I do not know whether I heard the gentleman distinctly or he heard me. The historical fact intended to be asserted here is, that the Federal Constitution was adopted by the States severally; that is, the people of each State acting independently, not by the people *en masse*. It is merely the statement of a historical fact, and intended to guard the *State right* and sovereignty which has never been surrendered.

Mr. Crittenden.—I do not intend to take exception to this phraseology, but only wished to know if the gentleman who had used it intended it as I understood it; that is, as signifying that the Constitution was made by the highest sovereign power in this country.

Mr. Davis.—I say so.

Mr. Crittenden.—Whether made by the people through the States or by the States for the people, in my judgment the phraseology is not important. I wished to know if that was also the case in the judgment of others. I am content with it in that sense. My opinion is that it was made by the people

of the United States. The States themselves derived their authority from the people. I do not intend to make any argument on this subject, nor to pursue it, much less to enter into a history of the manner in which the Constitution of the United States was formed. My authority is this, the first line of the Constitution: "We, the people of the United States, in order to form a more perfect union, etc., have made this Constitution." Now, sir, I say there is no higher authority than that.

Mr. Mason.—Will the senator indulge me? I was out of the Senate, but I understand the senator has made allusion to me on some question.

Mr. Crittenden.—The inquiry which I made has been answered. I will not press the matter further.

Mr. Davis.—The venerable and distinguished senator from Kentucky,—I use the language towards him which the country has applied to him,—has read from the first line in the Constitution the words, "We, the people of the United States." Our fathers used the word "people" as a collective noun; I use it so. I believe never until the advent of Kossuth did we ever have in this country a plural to that collective noun. Perhaps now if the Constitution were rewritten to express the same idea, it would appear, "We, the peoples of the United States." There it meant simply the people of each one of the United States; could have meant nothing else, because it was done by their delegates and submitted to the States for ratification.

Mr. Crittenden.—Mr. President, I have not participated in the long debate which has arisen on these resolutions, because there was much of it which I did not regard as interesting to the country at large, and from which I was somewhat excluded by the nature of the topics which entered into the discussion. I had nothing to do with the long discussion that has taken place in regard to the proceedings of the Charleston convention. I had nothing to do with the long argument; and vindication, and accusation in relation to Mr. Douglas, his transgressions or his orthodoxy, his fidelity to bargains made with his political confederates or his infidelity to them. I had nothing to do with them. I have said nothing about them. The subject proper for discussion was so ably argued by others that I must really claim for myself the right of adding that my diffidence prevented me from taking a part in the debate. But I have feared that it might appear to others as if I was shrinking from the responsibility of these questions. No such feeling ever influenced me; and I feel now, without any intention of entering into the general argument, disposed to make an explanation of my opinions in regard to the power of the Territories on the subject of slavery (if that must be the topic), always an

unpleasant one to me. And here, in the commencement, let me say that when the Missouri Compromise was repealed, when that established line had been the line of peace to this country for years and years——

Mr. Polk.—Mr. President, it is now late; if the senator wishes to give his views at all at length, I think it due to him that we adjourn.

Mr. Crittenden.—I would not ask it, but I am weary and not well, have been unwell for several days, but I am unwilling to be the cause of delay.

The motion was agreed to, and the Senate adjourned.

Much discussion as to the relations existing between the territorial government and the government of the United States had taken place while the resolutions of Mr. Davis were before the Senate. On the 25th of May, 1860, Mr. Crittenden made a speech on this subject. Nothing but such measures as seemed to promise pacification had any political interest for him. His idea was that a territorial government was a mere creature of Congress, made and fashioned by Congress, with the power it thought proper to confer, and that all powers thus conferred were liable to be resumed at any time, or changed, according to the discretion of Congress. He considered the people of the United States the natural owners of all supreme power. They had delegated a portion of that sovereignty to Congress. Congress, in constituting a territorial government, might grant as much as it pleased of power to govern. If Congress had the power of expelling slavery from the Territories, they might grant even that to the territorial government. The power of the government was invoked in the resolutions of Mr. Davis for the purpose of securing slave property in the Territories. The Supreme Court of the United States had determined that any citizen of the United States might go into a Territory and carry his slaves with him, and hold them there. Mr. Crittenden was of the opinion that the Constitution was bound to protect the property which it had authorized to go. When such property shall require such interposition, it would be the duty of Congress to interpose and grant protection. There was no case *now* demanding interference. The evil in a territorial government was but temporary. He thought there was no case calling for congressional interference now, and none likely to

exist. Kansas was soon to be taken from the class of *territorial governments*, and there would be no question about slaves in Washington, Utah, or New Mexico; the evil was too distant to be the cause of agitation. When, in 1854, the Missouri Compromise was repealed, one of its promised benefits was that the discussion as to slavery would be removed from the halls of Congress and transferred to the Territories,—made a *local* and not a *national* question. The Kansas-Nebraska bill was framed with that view, but the promised effect has not been produced. The effect of that law has been modified by the decision of the Supreme Court. Mr. Crittenden would not say that the law would have warranted the legislature of Kansas in excluding slavery altogether. It was not known whether this was in the power of Congress to grant such a power. The Dred Scott case was then depending. That case now determines that Congress had not the power, and could not of course convey it by the Kansas act. The Constitution, as interpreted by the Federal court, declares that slavery is not a subject of legislation on the part of Congress. Government was the combination of the powers of all to protect the rights, lives, and liberties of each. Slave property must be protected, but unless the case imperiously demanded it, he would be slow to interpose the positive authority of the government,—would try other means. The *salus populi* is at last the great law of nations. The Republican party has made progress, and this beautiful scene of human happiness and peace which our country presents has received its wound from the agitations they have made on the subject of slavery. Moderation is demanded of us all now, on all sides. We are told in the good book, that if we are at the altar, and remember that our brother is offended with us, to go and be reconciled to our brother, and then offer to our Maker the evidence of our devotion. Let us thus act both North and South.

## CHAPTER XII.

1860.

Amos A. Lawrence to Crittenden—Everett to Crittenden—Senate—Oregon War Debt—Pension for Mira Alexander—Letter to Smallwood and Bowman—Washington Hunt—Mr. Crittenden to his Wife—Senate—President's Message—George Robertson to Crittenden.

(Amos A. Lawrence to J. J. Crittenden.)

BOSTON, May 25, 1860.

MY DEAR SIR,—If you had allowed the convention at Baltimore to nominate you for President, it is possible that we might have stirred up some enthusiasm here in favor of the ticket. That appeared to be the only course if we aspired to any degree of success; but, from what has transpired since, I think you may be congratulated upon having avoided so trying a position. If Mr. Bell could see how difficult it is for us to make even a respectable opposition to the enthusiasm of the Republicans, he would cease to look in this direction for available support. Circumstances may change this, but so it stands now all through New England. The whole public sentiment which appears on the outside is in favor of "*Old Abe*" and his split rails. The ratifical meeting here last night was completely successful. Faneuil Hall was filled and the streets around it. Meantime we have not found the material for a meeting at all, except in collecting a crowd of boys to hear one hundred guns fired on Boston Common. In addition to this we have the weight of Mr. Everett's indecision about accepting the nomination, and it appears probable that he may decline at last. The intelligent conservative men, the great merchants and manufacturers, express great satisfaction at our nominations, and always add—*it is of no use*. They avoid politics altogether, except to vote; some refuse to do that. All this is discouraging, and I would not write it to any one but yourself, nor would I do *that*, except that I presume you desire to know the real facts. We have no idea of *surrender* in any contingency.

With great respect and regard, yours truly,

AMOS A. LAWRENCE.

Hon. J. J. CRITTENDEN.



(Amos A. Lawrence to J. J. Crittenden.)

BOSTON, May 26, 1860.

MY DEAR SIR,—Had I known when I wrote you yesterday that you had a design of coming here, I would not have said a word of our present condition. In fact, it has been impossible not to believe that there would be some interposition to save us from an inglorious defeat. Now that there is a prospect of your coming to Massachusetts, I see almost a providential way of escape. If you do come, the whole aspect of the campaign will be changed in this section. You will have a welcome such as no other Constitutional Union man can receive. You will see old Faneuil Hall packed from top to bottom. The inert mass of conservatism here in Massachusetts will be stirred into life and hope. You will see exactly the difference between yourself and Mr. Bell as a popular leader. Therefore we all earnestly hope you will come.

It would be a great source of gratification to myself and my family if you and Mrs. Crittenden would make your home at my house while you remain here. I live a short distance from the centre of the town, enough to give you quiet when you want it. It will be easy to arrange for you to receive company in town at appointed hours if you wish to do so; and, in fact, you will be forced to see our people if you come. They will not let you off.

But if you choose to be in the town, you will have a great choice of hosts. I will not urge you, except so far as to provide for your greatest comfort.

With respects to Mrs. Crittenden, I remain faithfully yours,

AMOS A. LAWRENCE.

Hon. J. J. CRITTENDEN, U. S. Sen.

(Hon. Edward Everett to J. J. Crittenden.)

BOSTON, May 28, 1860.

MY DEAR SIR,—I have, this morning, received the letter of the 25th, signed by yourself and other friends at Washington. I have not time to-day to reply in a proper manner to the principal suggestions in the letter; but there are one or two statements on which, in justice to myself, I must at once make a few remarks. You say that my "nomination was made without any intimation that it would be accepted." It is certainly true that it was made in a manner which, though highly flattering to me, rendered any explanation at the time difficult, if not impossible. Mr. Hillard, however, did state that he was not authorized to accept it on my behalf, and if there had been opportunity for full explanation would, no doubt, have added that he had a letter in his pocket, in which I requested that if

my name was brought forward as a candidate it might be withdrawn.

You observe that the nomination has been published to the whole country for a number of weeks, without any dissent on my part brought to your knowledge or that of the public. On the day on which I received Governor Hunt's communication, I met, on my accustomed evening walk, the Honorable George Lunt, editor of the Boston *Courier*, and told him I was meditating an answer declining the nomination. He begged me to reserve it till I could hear the opinions of friends. On the 14th I wrote the letter addressed to Governor Hunt, of which a copy is inclosed. I addressed it to him at Lockport, but have received no answer. I have some reason to fear that it was misdirected.

You state that not only yourself but the whole country was authorized to hope that the nomination was already informally accepted. I have from other sources been informed that statements were made at the convention that I would accept a nomination; but I assure you they were made without the slightest authority from me.

You express the earnest wish that I would, at an early day, in a formal manner, accept the nomination. In a letter from Mr. Gilmer, of the 24th, he requested me, "if I have said nothing yet, to withhold my answer a few weeks.

I remain, dear sir, in great haste, sincerely your friend,

EDWARD EVERETT.

P.S.—As this is a private letter addressed to you, allow me to observe that the letter of the 25th, headed by yourself, is in some portions a letter less kindly in its tone than I could wish. My friends here think me entitled rather to sympathy than implied rebuke.

To the Hon. J. J. CRITTENDEN.

(J. J. Crittenden to Hon. Edward Everett.)

WASHINGTON, May 30, 1860.

MY DEAR SIR,—I received, last night, your letter of the 28th inst., and I extremely regret to find that you think our late letter to you "less kindly in its tone" than you could wish.

I pray you, my dear sir, not to allow any unguarded expression in that letter to give you the slightest displeasure. I am sure it was furthest from the intention of its signers to say anything offensively or rebukingly to you. Whatever may have that tone or appearance I beg you to attribute to the great earnestness with which they desired that your name should continue to add dignity and popularity to their party or their ticket. I had no knowledge of any intention to address you at

all. When the letter, signed by three gentlemen, was handed to me in the Senate for my signature, I perused it hastily, and waiving some diffidence which I felt about the propriety of our urging or addressing you at all on the subject, I united with our friends in affixing my name to their letter to you.

I have read with interest and care your letter to me, and also the copy which you were pleased to send of your letter to Governor Hunt, and it is made clear that you were under no *commitment* whatever to accept the nomination made by the Baltimore convention, however desirable it may be to others that you should accept.

Your character gives assurance to the country that your conduct on this occasion, whatever it may be, has been well and patriotically decided upon. And I will only add, sir, that whatever disappointment it may cause, your course—be it what it may—shall be acceptable to me.

I am, etc.,

To the Hon. EDWARD EVERETT. J. J. CRITTENDEN.

(In Senate, May 30, 1860. Oregon War Debt.)

Mr. Crittenden.—I wish to inquire of the honorable senator when this war terminated, and, if he will permit me to add another question, I wish to know of him what was the military force of the United States army at that time in the Territory.

I have, Mr. President, the most full and entire confidence in all statements made by the honorable senator from Oregon; and I can say, furthermore, that I desire that every man who rendered service on the occasion should be paid to the last cent, without further inquiry into the cause of the war. According to this bill, four hundred thousand dollars has been estimated as necessary to be appropriated for the payment of these troops for their personal services. That is the sum intended to cover the whole of that claim. Then we come to another article of appropriation, "For the payment of supplies, transportation, personal services, three millions." This is a very extraordinary disproportion between the payment made to men for services and that which remains to be paid for supplies and transportation. I can well imagine that provisions were dear at that time in a new country, but, I confess, it seems to me that three millions to supply four hundred thousand that are employed in the payment of the troops is a very exaggerated sort of a bill.

I remember, in past times, an expedition of as much public consequence, and apparently as costly, where the transportation was not half this amount. Upon proclamation of old Governor Shelby, during the last war, three hundred Kentuckians were assembled from every part of their State, at Urbana, in the State

of Ohio. In twenty days they were to march clear across our whole country over into Canada, and *they did so*. My friend, Dr. Mitchell, who was the Surgeon-General of the army at Urbana, applied to Governor Shelby for transportation for the medicine. The old governor smiled at him. "A wagon and team to carry medicine, do you say, sir?" "Yes, sir; I want a wagon to carry medicine." "In all my life," said the old governor, "I never heard of such a demand." Though a good Presbyterian, I confess he did swear a little in time of war; but his oaths were all patriotic, every one of them. He swore he would allow no such thing. He would not put the United States to that sort of expense for medical stores. He would have nothing to do with a doctor who would not carry his own medicines. So the excellent and worthy Surgeon-General of the army had to find ways and means to carry his own medicines. Now, I can but think, if there had been a little of that kind of firmness and hardihood in the present instance, less than three millions would have been found sufficient. I cannot conceive what could have been carried along to make a bill of three millions to supply a number of men whose services four hundred thousand dollars would pay for. I do not know how such an amount could be mustered up in such a country. The campaign did not last more than a year. It commenced in the fall of 1856, and in October of the next fall you had commissioners of peace there settling accounts. In one single year, with an army of militia,—mind you, this does not include the regular troops, or their services, or their supplies,—in this one year, to supply a little army furnished by a Territory then in its infancy, three millions were required. My friend, Mr. Davis, says "there were two Territories." I reply, yes, one Territory which had been made into two. That does not vary the matter, I suppose, much. I shall not oppose this bill; but I trust that in the settlement of the accounts by the officers of the treasury, due attention and scrutiny will be paid to all these matters. We must pay, and I want to see the last cent that is due paid; but I rose to express my astonishment at this enormous amount for transportation. My old friend from Oregon recollects the time when an Indian war was not so much dreaded. An Indian war was considered a thing which brought expense and bloodshed on the settlers. Why it is that our people, as soon as they get to the Rocky Mountains,—the same men as their brethren on this side,—cannot have a little Indian war now and then without putting the government to the expense of three millions for transportation only, is to me matter of great surprise. War is a costly luxury,—indeed a very costly one. These little Indian wars, as they become rare as the Indians become fewer

and less warlike than of old, begin, like other rarities, to rise in price, and the cost, even of a short indulgence, seems immeasurable. I venture to say, that the transportation of the army that was marched to the river Thames, in Canada, did not amount to twenty thousand. The War Department will confirm this. We marched ourselves along. Many a man, for days, carried his provisions in his pocket. Old Shelby would not allow a wheel-carriage for the medicine-chest,—he thought we got along well without it; and he even intimated to me, privately, that he thought the doctors brought diseases with them, for he had marched troops across Alleghany Mountains for hundreds of miles to the mouth of the Kanawha River—where the great battle was fought with the Indians—and back again, without a doctor, and not a man was sick. [Laughter.] I think the old gentleman was strong in this opinion.

But, sir, I will not go back to those old heroic times. I suppose those men were pretty much like the men of the present time, except in one thing, and that is in their expenses. I am willing to pay the debt,—to pay for the fighting, for the feeding. That is a clear account, easily settled; but, at this rate, I should suppose the soldiers might have been maintained like princes, and have gone to battle in carriages. [Laughter.] Let us hope the accounting officers will do their duty. I do not intend to debate this subject further. I rose to express my surprise at the enormity of the amount. In order to show that I had some reason for my surprise I referred to other cases that have come within my knowledge. I know nothing of the other side of the Rocky Mountains, or of the Indians there; how warlike or unwarlike they may have been; but when my friend Mr. Davis talks of the difference in the character of the Indians on the other side of the Rocky Mountains, and the warlike Indians who lived on the other side of the Ohio, I think he is greatly mistaken if he gives any superiority to the Rocky Mountain Indians,—a poor race, without heroism, without the brave endurance of the Indians of Ohio. They were the most warlike that ever existed on this continent, according to all history and all tradition. It was not to those little skirmishes with twenty or thirty men, pursuing roving bands of depredating Indians, I alluded. For *that* there never was any payment. The government of the United States never heard of them. They were paid for at the expense and in the brave blood of the men themselves. But there were other campaigns. Was the campaign of Tippecanoe a little skirmish? Were the campaigns under Scott and Wilkinson little skirmishes? Was the battle of the Blue Lick a small affair? California and Oregon never saw such Indian battles as these, and I hope they

never may. They were fought by volunteers, and the government never paid one dollar. There was no one present but the settlers of the country, and nearly one-half of the population of men perished on that day in that battle. Were these little skirmishes in comparison to what they have had in Oregon? No; they were dreadful and bloody battles, fought hand to hand. I mention this battle with reluctance, because on that day the white man had to fly before the Indian, leaving half his numbers behind. I do not contend that these cases are exactly parallel, but the question waked up reminiscences. I am anxious that every man who serves his country shall be paid for it, and enormous as the bill seems, I shall vote for it. I intended to confine myself to perhaps a very idle expression of my astonishment, and to declare that an Indian war which was once a sort of sport to our countrymen, is now a costly luxury, and I think its indulgence should be as much *limited* as possible. I think we should have something to do with making the wars, if we are to pay for them, and judging for ourselves what force is necessary to resist and repel them. Mr. Davis supposes there were about fifty men at the battle of Blue Licks; there were four or five hundred.\*

(Edward Everett to J. J. Crittenden.)

BOSTON, June 2, 1860.

MY DEAR SIR,—I have your letter of the 30th, and I am much obliged to you for its kind expressions and friendly tone. The doings of the meeting at Faneuil Hall last evening will, I suppose, preclude the necessity of dwelling on the causes which led me to hesitate in accepting the nomination, and will make it unnecessary for me to reply formally to the letter of the Executive Committee of the 25th. Being in the country, I was not able to attend the meeting. I judge from the report in the *Courier* that it was eminently successful, and the character of those who acted as officers and took part in the proceedings is such as to give them all weight in the community. My only regret is that I must, for a time, creep out of the shell into which I had withdrawn; and yet, not my only regret, for I must add, with all frankness and with entire regard for Mr. Bell, that if it was necessary my name should be used, I should have preferred that it had been *under your lead*, as the acknowledged *head* of the Constitutional party. I remain, dear sir, with the greatest regard and sincerity,

Yours,

EDWARD EVERETT.

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\* Speech given entire.

(In Senate, June 8th, 1860. Mira Alexander.)

Mr. Crittenden.—Mr. President, this lady is a daughter of George Madison, of Kentucky, and a man that every Kentuckian is well acquainted with who knows anything of the history of his State. George Madison grew up at the close of the Revolutionary war, and had the honor of firing some of the last guns on that occasion. He went to Kentucky,—then the seat of Indian warfare,—and was one of its earliest pioneers and settlers; he took part in all the Indian wars—was shot through by an Indian—was always fighting where fighting was to be done. In St. Clair's defeat, he had an arm broken and fell from exhaustion and loss of blood upon the field, and was borne off by a poor, faithful, and attached Irishman. After recovering, he was engaged in the war of 1812. At the battle of the River Raisin, his battalion was the only one that maintained its ground, having the benefit of a little picket surrounding a garden. There he stood firm. While the Indians were gone in pursuit of the flying troops, he proposed to his men to leap the pickets and with his raw militia to charge the regular British troops. Naturally feeble in constitution, he had not strength to execute this himself, and it was not done. He was taken prisoner and carried to Montreal in the depth of winter, and from there to Quebec, and, because of some retaliations then going on between the two countries, George Madison was put in prison and kept there some time; was at last exchanged and got home to Kentucky. At the first election of governor after his return, nobody would satisfy the people but George Madison. He had, however, returned fatally diseased; just lived to be elected and take the oath of office; never entered upon his duties; *he* died leaving this girl, his only surviving child. She married a gentleman of great respectability, who shortly afterwards was caught in the machinery of a mill and torn to pieces, leaving her a widow. About fifteen years ago, her sight began to fail, and for ten years she has been blind; her children have grown up,—some of them have not been successful in life; she is poor, she is blind; she is the daughter of the man I have described to you, who was as well known to us as any man now present; he was gentle as a woman, as brave as Julius Cæsar or as my friend here, Mr. Davis. If George Madison's death in his country's cause does not give him a claim upon you, I do not know what man under God's heaven is entitled to rewards for services. *He* never asked aid from you; his daughter, in her blindness and her want, asks for it. I hope the Senate will pass the bill. I have no more to say.

(In Senate, June 22d, 1860. Bill for the relief of Robert Johnson.)

Mr. Crittenden.—It does not seem to me that this bill ought to pass. If I recollect the laws in reference to this matter, there had been no opportunity to refer to them; they forbade the assignment. It was foreseen that the needy soldier would dispose of his claim upon the government for a trifle. Here the sale was made before the warrant was issued. Very possibly the ignorant soldier did not understand what he was doing. Under these circumstances, a speculator steps in, pays him full price—for what? Not for the land—that was not granted—but for the discharge. I do not see that we should recognize such a transaction. Leave this, gentlemen, to the law of Congress. If we interpose at all, it ought first to be upon an inquiry made whether justice has been done to the soldiers. We ought not to step in upon an *ex-parte* statement of the speculator and sanction his speculation. I call it a speculation, not that I know anything about the contract, but I infer it from the character of the parties. One is a banker, a rich man, a capitalist in a great city; the other is a poor soldier, just returned from the wars, and he sells, not a definite thing which he has in his hand, a warrant for land, but he sells his discharge. When the assignee comes with that discharge in his hand to the department, it will not command a warrant; he is not entitled to have one merely upon that; but in this state of the case we are to interpose and give him the title to demand a warrant. We not only interpose on the wrong side but we interpose for a wrong purpose. There is, to be sure, a reservation of the claim of the soldier, a provision that if he shall ever come forward, he may impeach and question this transaction. But, sir, with whom is he to question it? He is to question it with the man who holds the legal title to his bounty-land, and he is obliged to make proof of the fraud. The burden of proof rests on him. If these warrants are to issue, let them issue in the name of the soldier, and then you give the soldier the defensive position, and those who claim his warrant will have the burden of proof. Is not that course infinitely more just? I think it is, and we are thus taking the side of the poor and ignorant,—such, from their classes, I infer them to be, and that is the only ground on which I would interpose.

I simply wish to call this bill to the attention of the Senate. I have never known such an application before, nor can I see that the simple purchase of a soldier's discharge is a purchase of his bounty-land. Can you say it is? Gentlemen should consider that. This discharge may be the evidence upon which the man may entitle himself to pay. His name is on the roll; but to identify him is the thing. He is best identified by the



possession of his discharge. What did the soldier sell? By the terms it does not appear that he sold his bounty-warrant. I do not doubt at all the perfect sincerity of the senator from Oregon, and his sympathy with the soldier. It is natural that he should have that sympathy; it is in consonance with his character. But why does he believe that this transaction was so entirely fair? Is it upon the evidence submitted to Congress? Was it ever known that a party who made such a speculation was not very careful that the writings should be properly, carefully, and critically drawn? Shakspeare has said that "the world's law is not the poor man's friend," and I say, with as perfect certainty, that whenever a written contract is made between the poor soldier and a banker upon such a transaction as this, the paper will be sure to read against the soldier, and show a fair contract on the part of the banker. He is a poor speculator who does not see to this. Why not go on and issue these patents in the name of the *soldiers*, and then let this claimant go before a court of equity on these papers, and ask them, on an examination of the case, and an establishment of an equitable title, to convey the land to him? He has a fair legal remedy. Why should Congress interpose to take a judicial cognizance, as it were, of this case, where the rights of two parties are concerned and one party only is heard? Why should we take this case and place ourselves in the seat of judgment of the judiciary and decide, *ex parte*, that the patent for this man's land shall go to another, leaving him a merely nominal right to impeach the transaction in a court of equity? You may just as well defer it to the sound of the last trumpet, when all men shall appear at the judgment-seat, to make his claim.

Sir, there is a plain legal remedy. This gentleman can apply in the name of the soldier, and on the establishment of his claim the patent will issue to the soldier, and then (if his claim be a fair and equitable one) he can, by a suit in equity and the production of this contract, and after both parties shall have been heard by the chancellor, get a decree. There is nothing more just and plain than that this man ought to be left to his legitimate rights before a court of justice, and that Congress ought not to interpose in favor of a claim accompanied by so many circumstances that justify and warrant suspicion. We should not take the place of a court of justice.

(J. J. Crittenden to W. M. Smallwood and John P. Bowman.)

W. M. SMALLWOOD, JNO. P. BOWMAN, Esqs.

GENTLEMEN,—I have had the honor to receive your letter of the 22d of August last, inviting me, in the most cordial and flattering terms, to visit you at the city of Lexington, Lafayette

County, Missouri, for patriotic counsel (in relation to the approaching presidential election), for social reunion, and to share the hospitality of your homes and hearts.

I thank you, my friends, for the expression of your approbation of my public conduct, and of your undiminished confidence in me. These are the rewards that are dearest to my heart, and if I can carry such with me into that retirement whither I shall soon most willingly go, little will I care for the loss of office, its vanities or flatteries.

I agree with you that the state of our public affairs is gloomy, and that it is not easy to find the path of duty through that conflict of parties in which our country is now involved,—parties, some of which seem to be at war not only with themselves, but with the country and the Union. Two fatal symptoms mark the character of two of the presidential parties that now agitate the country,—sectionalism and disunion. The one indirectly, the other directly, endangering the dismemberment of the United States. I mean the Northern party, supporting Mr. Lincoln, and the Southern party, supporting Mr. Breckenridge.

The party supporting Bell and Everett is fairly indicated by the name it bears,—the Constitutional Union party. It has arisen out of the troubles and dangers of the country, and for the protection and preservation of our institutions, shaken by the dangerous controversies of collisions of the North and South. This is, in my judgment, the party that is safest and most conservative; and I think its candidates, Bell and Everett, from their position, as well as from their high qualifications and characters, afford to the country the best prospect of security and peace. They will, therefore, have my support, though I admit that the party supporting Mr. Douglas is entitled to be regarded as national, and that he himself has shown a patriotic devotion to the Union. Still, as he and his supporters are engaged in the hottest of the present party warfare, we could not expect from his administration of the government as much tranquillity as would be assured to the country by the administration of Mr. Bell, who would come into office without those fierce excitements through which Mr. Douglas, under existing circumstances, can alone reach it. Good men now fear for the peace of the country and for the union of the country. The election of Bell and Everett will most effectually quiet all those apprehensions; and it therefore seems to me to be our duty to support and vote for them.

By the cordial and generous character of your invitation, you have made it almost impossible to decline. I cannot say no to it. I must accept it, and, notwithstanding all obstructions, I

must endeavor to comply with it; but in candor I must qualify my acceptance.

Before your invitation, I had received another very kind and cordial one to attend a great mass-meeting and convention of the friends of Bell and Everett, at St. Joseph, on the 4th and 5th of October next.

I had then, as I have now, so many previous engagements of the like character on my hands in the State of Tennessee, that I was at a loss to know whether I should have either time or strength to go to St. Joseph by the day appointed; I concluded, however, in my anxiety to comply with their wishes, that I would accept their invitation, and by a great effort get through with my other previous engagements in time to comply also with my invitation to St. Joseph. I wrote to them to that effect, a few days ago, stating my previous engagements, and the difficulties in my way, but promising to make every effort I could, and to be with them, if possible, at their meeting, and that I hoped to be able to accomplish it all.

Before my answer to their invitation, I had received yours, and in answering them I was influenced by both invitations, for if I could go to St. Joseph to see them, I would, of course, go to Lexington to meet you. This is all that is possible for me to say at present.

Yours respectfully,  
J. J. CRITTENDEN.

(Washington Hunt to J. J. Crittenden.)

LOCKPORT, N. Y., Sept. 3, 1860.

MY DEAR SIR,—You will see what we are doing in this State. Our effort is to unite the national men sufficiently to take New York from the Republicans. We feel some confidence in our ability to effect this result; but it is to be a very severe and trying conflict. The presidential problem is reduced to a single point. If the vote of this State can be turned against Lincoln and Hamlin, they are defeated; otherwise, in all human probability, they will be elected. This gives a peculiar importance to the canvass here. It is the battle-ground, the turning-point in the campaign. Therefore we deem it of the greatest consequence that you should “come over and help us.” I know it is asking a good deal, but your patriotism, so often tested, will, I trust, prove equal to the emergency.

Our people want to hear your voice. They want to display their feelings of love, veneration, and gratitude towards you. We will put no heavy burdens upon you. Even one speech from you in favor of “union, for the sake of the Union,” may

turn the scale in New York, and thus insure the election of Bell and Everett. You may consult your own convenience as to time and place. We are to have a mass convention in Albany about the 1st of October (probably the 3d), and your presence there would be most desirable. If you can come earlier, and speak at other places, it will be better still. We would not overtax your strength. Only come within our borders, and you may choose your own time and place. I would not be importunate, but I must make an earnest appeal. If you decide that you will come, please give me an early answer, and I will also ask you to notify Brooks, in New York, that the fact may be promptly announced. Much of my time, during this month, will be spent away from home, on a tour through the counties. The Republicans are alarmed, and very ferocious towards me personally; but I meet them in the spirit of knightly defiance. The path of duty appears plain to me in the present crisis, and I am not afraid to pursue it. My faith is strong that Providence will smile on our efforts, and deliver the country from peril.

I remain, dear sir, faithfully and truly yours,

WASHINGTON HUNT.

P.S.—Our friends in New York city are anxious to have you at the great Union meeting there on the 17th. If you can come in time, that is the occasion of all others for you to speak. It is proposed that General Scott preside, and I think he will consent.

To the Hon. J. J. CRITTENDEN.

(J. J. Crittenden to his wife Elizabeth.)

NASHVILLE, Tuesday, Sept. 24, 1860.

MY DEAR WIFE,—I am here; have been received in this city in the most distinguished manner; have been honored and welcomed as if I had been twenty Presidents. I spoke to-day to a great audience, and am *not* dissatisfied with the speech I made. I believe my audience was well pleased. There was applause from the crowd and from individuals. I have since received many compliments. That, however, only proves their politeness. But the trials of the day are over, and I am now in Mr. Edgar's study writing this letter to my dear and charming wife. Your two letters were received last evening. I see that you have been disappointed in your expectation of letters from me. I could not help it. I have been so continually occupied, writing was impossible. I thought with regret of the disappointments I should occasion you; but this is nothing more than a *fair* requital for your not coming with me. Everybody asks *why* you did not come, and I, injured man as I am, make the best excuse I can for you. I have seen but little of the

ladies; visited none of them; shall commence this evening. Mrs. Bell is all kindness and compliment; so is Mr. Bell, and *in all sincerity* I do believe. He came to Bowling Green yesterday morning to meet me, and accompanied me to this place; was seated with me in the carriage of state, in which I was drawn through the city in the midst of the multitudes, the military, the music, the banners, and shoutings. Upon the whole, I have been *what is called a great man* for *two whole days*, besides having a grand dinner yesterday at Mr. Edgar's.

I shall have a great deal more to write to you to-morrow; so farewell, dear wife. Yours,

J. J. CRITTENDEN.

Mrs. E. CRITTENDEN.

(General Scott to J. J. Crittenden.)

NEW YORK, Nov. 12, 1860.

MY DEAR CRITTENDEN,—You are right in supposing that I have not rested supine during this alarming state of our Union. A copy of the accompanying circular would have been sent to you earlier, but that I supposed it might pass you on your way here. It has been widely scattered over Virginia, indorsed, "If Virginia can be saved from secession, *she* may save the Union." My suggestions seem to have no good effect at Washington; in other words, I have had no acknowledgment from either the President or Secretary; nor has a single step been taken. I am sorry that you will not be here on your way to Washington. I do not expect to be there before the 15th. In the mean time, the Union is at the mercy of the President elect, even before his inauguration; that is, his silence may be fatal, whereas it is probable that his inaugural will be soothing, if not perfectly satisfactory, to the South. It is the common hope here that Mr. Lincoln may call into his cabinet some two or three of the following persons, with proper assurances to them of good intentions: Crittenden, Bell, Rives, Badger, Stephens, Bates, Everett. With sufficient assurances, it is the opinion of all conservatives that neither of those statesmen *ought* to decline. My circular may be wrong about the affinities of Kentucky and Tennessee, but I think not.

We have lost our friend Carneal, and I hear nothing of our friend Burnley. Kind regards to him and Letcher. To my excellent friend Mrs. Crittenden I would send my love, but I fear you are too niggard to deliver it.

Always yours, most faithfully,

WINFIELD SCOTT.

(In Senate, December 4th, 1860. President's Message.)

Mr. Crittenden.—Mr. President, I regret that the honorable senator from North Carolina, Mr. Clingman, has thought proper to make the speech which he has just addressed to the Senate. I did hope that we had all come together upon this occasion duly impressed with the solemnity of the business that would devolve upon us, duly impressed with the great dangers that were impending over the country, and especially with those dangers which threaten the existence of our Union. That was the temper in which I hoped we were now assembled. The gentleman has scarcely uttered a sentiment or an opinion in which I do not disagree with him,—scarcely one, sir. I have hopes of the preservation of the Union under which I have so long lived; I have hopes that that Union, which was the glory of our fathers, will not become the shame of their children. But I rise here now, sir, not for the purpose of making a speech, and I shall abide by my purpose. I wish the gentleman had maintained his purpose, having said he did not rise to make a speech. I rise, sir, only to express the hope that the bad example of this gentleman will not be followed, and that we will not allow ourselves now to be involved in an angry debate. We had better not be here at all if that is our purpose. If we have not come here to give a deliberate and a solemn consideration to the grave questions which are thrust upon us, we are not fit for the places which we occupy. This Union was established by great sacrifices. The Union is worthy of great sacrifices and great concessions for its maintenance. I trust there is not a senator here who is not willing to yield and to compromise much, in order to preserve the government and the Union. I look forward with dismay and with something like despair to the condition of this country when the Union shall be stricken down and we shall be turned loose again to speculate on the policies and on the foundations upon which we are to establish governments. I look at it, sir, with a fear and trembling that predispose me to the most solemn considerations I am capable of feeling; to search out, if it be possible, some means for the reconciliation of all the different sections and members of this Union, and see if we cannot again restore that harmony, that fraternity, and that union which once existed in this country, and which gave so much of blessing and so much of benefit to all. I do hope we shall not now engage in any irritating or any angry debate. Our duties require of us very different dispositions of mind, and trust none of us will allow ourselves to be provoked or, by any inadvertence, involved in angry discussions now. Calm consideration is demanded of us,—a solemn duty is to be performed; no invectives to be pronounced, no

passions to be aroused, no wrongs to be detailed and aggravated over and over again. Let us look to the future, let us look to the present, only to see what are the dangers and what are the remedies, and to appeal for the adoption of these remedies to the good feeling of every portion of this House. In this way only can we arrive at peaceable and satisfactory conclusions.

I will not now allude further to any of the questions which the gentleman has presented. I shall not discuss the point whether Mr. Lincoln's election be, or be not, a good cause for resistance. I tell you, there is at least diversity, great diversity, of opinion, which should make us regard this as a question for grave consideration. We have parties, we have divisions, in Kentucky, but I do not believe there is a man in the State, of any party, who agrees with the gentleman on these questions. We are all a Union-loving people, and we desire that all these difficulties and dissensions may be healed, and a remedy applied to all the grievances of which we have a right to complain. What we desire is a restoration of peace and tranquillity. I hope, judging from the general character of my friend from North Carolina, and from the noble character of the State which he represents here,—a great State, which, while exhibiting the firmness that belongs properly to her, has always carried the olive-branch in her hand, and has taught peace, harmony, and union,—I hope from my friend that, on consideration and calmer reflection, he will unite with us in as true a spirit of union and devotion to the country as any other patriot. I will waive any remarks I might have been disposed to make on the message. I do not agree that there is no power in the President to preserve the Union. If we have a Union at all, and if, as the President thinks, there is no right to secede on the part of any State (and I agree with him in that), I think there is a right to employ our power to preserve the Union. I do not say *how* we should apply it; under what circumstances we should apply it,—I leave all that open. To say that no State has a right to secede, and that it is a wrong to the Union, and yet that the Union has no right to interpose any obstacles to its secession, seems to me to be altogether contradictory. As to the resolution referring the President's message to a committee of thirteen, I have not a word to say,—it presents no subject of debate. It is important to avoid premature debate on this subject, however interesting it may be. We are in danger of collisions produced or excitements created. I wish to see the Senate, as I wish to see each one of us, observe calmness, and coolness of judgment, to act upon the specific measures which will so soon be presented to us for action. I hope that, without further

delay, we shall take the question. I surrender my right to debate it.

(Hon. George Robertson to J. J. Crittenden.)

WASHINGTON, December 16, 1860.

MY DEAR SIR,—I should have written to you sooner, but I did not see B. till a few days ago, and then found that the result of his conference was indefinite and unsatisfactory. When he told Lincoln that, to *save* the Union and illustrate his own fame, he ought to organize a *national* and *representative cabinet*, consisting of *three Southern* Union men of good character, and *four* moderate Republicans, the reply was, "Does any man think that I will take to my bosom an enemy?" This he, *on remonstrance*, qualified by saying, "*any man who voted against me.*" B. argued and illustrated for two hours, Lincoln being silent, and only saying at the close, "I thank you for your counsel." B. left him with some hope that he would follow his counsel, but with the impression at the same time that he was rather *ultra* in the Republican faith. I had not doubted that his course would be substantially as B. advised, because there is nothing practical and unsettled on the question of slavery; because *Lincoln* can do nothing with it; and because his interest and duty plainly dictate a prudent abstinence and a magnanimous nationality, but the inclosed scrap *squints awfully* the other way. If he pursues the course therein indicated, I apprehend that our border States *cannot be held*. Does he suppose that Ed. Bates and Cash. Clay will be accredited by those States as their representatives? We would all prefer a Northern cabinet, and a *sectional* administration,—*President, Vice-President, and all*. Kentucky would feel insulted at having forced on her as *her organ* a *citizen* over whom she would even prefer *Seward*.

If the South could know that Lincoln *feels*, and will *act*, as this scrap indicates, she would believe that there is some subterranean design to wage an exterminating crusade against her by all the power and patronage of the incoming administration, and they would certainly (though I would not help) go out unanimously, and either unite in a Southern organization, or the planting States into a Southern, and the border States (including, perhaps, the Northwest) into a central, republic,—which last, in the event of a sectional dissolution, I would prefer. But if Lincoln will—as I always till lately believed he would—*adopt* and *adhere* to a truly national and constitutional programme, and follow in the footsteps of Washington, as the President not of a faction but of the nation, not as the proscriptive leader of a *spoils-band*, but as the father of his whole country, I feel a tranquil assurance that the Union will be ultimately safe. A large majority of those who elected him would approve his



patriotic course, and even the ambitious leaders *ought to see* that their own welfare would be promoted by it. *On the opportune solution of the preliminary problem* hangs, in my opinion, *the fate of the Union*. Governor Letcher is very ill, scarcely a hope of his surviving many days.

Yours, with respectful salutations,

Hon. J. J. CRITTENDEN.

' G. ROBERTSON.

## CHAPTER XIII.

1860-1861.

In Senate, Compromise of the Slavery Question, December 18, 1860—Crittenden Compromise Resolutions—Letter from General Dix—Letters from Everett, E. Whittlesey, Winthrop, Lawrence—In Senate, adopting Crittenden Compromise.

(In Senate, December 18, 1860. Compromise of the Slavery Question.)

**M**R. CRITTENDEN.—I am gratified, Mr. President, to see, in the various propositions which have been made, such a universal anxiety to save the country from the dangerous dissensions which now prevail; and I have, under a very serious view, and without the least ambitious feeling whatever connected with it, prepared a series of constitutional amendments, which I desire to offer to the Senate, hoping that they may form, in part at least, some basis for measures that may settle the controverted questions which now so much agitate our country. Certainly, sir, I do not propose now any elaborate discussion of the subject. Before presenting these resolutions, however, to the Senate, I desire to make a few remarks explanatory of them that the Senate may understand their general scope.

The questions of an alarming character are those which have grown out of the controversy between the northern and southern sections of our country in relation to the rights of the slaveholding States in the Territories of the United States, and in relation to the rights of the citizens of the latter in their slaves. I have endeavored by these resolutions to meet all these questions and causes of discontent, and by amendments to the Constitution of the United States, so that the settlement, if we can happily agree on any, may be permanent, and leave no cause for future controversy. These resolutions propose, then, in the first place, in substance, the restoration of the Missouri Compromise, extending the line throughout the Territories of the United States to the eastern border of California, recognizing slavery in all the territory south of that line, and prohibiting slavery in all the territory north of it; with a provision, however, that when any of those Territories, north or south, are formed into States, they shall then be at liberty to exclude or admit slavery as they please; and that, in the one case or the other, it shall be no objection to their admission into the Union.

In this way, sir, I propose to settle the question, both as to territory and slavery, so far as it regards the Territories of the United States.

I propose, sir, also, that the Constitution shall be so amended as to declare that Congress shall have no power to abolish slavery in the District of Columbia so long as slavery exists in the States of Maryland and Virginia; and that they shall have no power to abolish slavery in any of the places under their special jurisdiction within the Southern States.

These are the constitutional amendments which I propose, and embrace the whole of them in regard to the questions of territory and slavery. There are other propositions in relation to grievances, and in relation to controversies, which I suppose are within the jurisdiction of Congress, and may be removed by the action of Congress. I propose, in regard to legislative action, that the fugitive slave law, as it is commonly called, shall be declared by the Senate to be a constitutional act, in strict pursuance of the Constitution. I propose to declare that it has been decided by the Supreme Court of the United States to be constitutional, and that the Southern States are entitled to a faithful and complete execution of that law, and that no amendment shall be made hereafter to it which will impair its efficiency. But, thinking that it would not impair its efficiency, I have proposed amendments to it in two particulars. I have understood from gentlemen of the North that there is objection to the provision giving a different fee where the commissioner decides to deliver the slave to the claimant from that which is given where he decides to discharge the alleged slave; the law declares that in the latter case he shall have but five dollars, while in the other he shall have ten dollars,—twice the amount in one case than in the other. The reason for this is very obvious. In case he delivers the servant to his claimant, he is required to draw out a lengthy certificate, stating the principal and substantial grounds on which his decision rests, and to return him either to the marshal or to the claimant to remove him to the State from which he escaped. It was for that reason that a larger fee was given to the commissioner, where he had the largest service to perform. But, sir, the act being viewed unfavorably and with great prejudice, in a certain portion of our country, this was regarded as very obnoxious, because it seemed to give an inducement to the commissioner to return the slave to the master, as he thereby obtained the larger fee of ten dollars instead of the smaller one of five dollars. I have said, let the fee be the same in both cases.

I have understood, furthermore, sir, that inasmuch as the fifth section of that law was worded somewhat vaguely, its general

terms had admitted of the construction in the Northern States that all the citizens were required, upon the summons of the marshal, to go with him to hunt up, as they express it, and arrest the slave; and this is regarded as obnoxious. They have said, "In the Southern States you make no such requisition on the citizen;" nor do we, sir. The section, construed according to the intention of the framers of it, I suppose, only intended that the marshal should have the same right in the execution of process for the arrest of a slave that he has in all other cases of process that he is required to execute—to call on the *posse comitatus* for assistance where he is resisted in the execution of his duty, or where, having executed his duty by the arrest, an attempt is made to rescue the slave. I propose such an amendment as will obviate this difficulty, and limit the right of the master and the duty of the citizen to cases where, as in regard to all other process, persons may be called upon to assist in resisting opposition to the execution of the laws.

I have provided further, sir, that the amendments to the Constitution which I here propose, and certain other provisions of the Constitution itself, shall be unalterable, thereby forming a permanent and unchangeable basis for peace and tranquillity among the people. Among the provisions in the present Constitution, which I have by amendment proposed to render unalterable, is that provision in the first article of the Constitution which provides the rule for representation, including in the computation three-fifths of the slaves. That is to be rendered unchangeable. Another is the provision for the delivery of fugitive slaves. That is to be rendered unchangeable.

And with these provisions, Mr. President, it seems to me we have a solid foundation upon which we may rest our hopes for the restoration of peace and good will among all the States of this Union, and all the people. I propose, sir, to enter into no particular discussion. I have explained the general scope and object of my proposition. I have provided further, which I ought to mention, that, there having been some difficulties experienced in the courts of the United States in the South in carrying into execution the laws prohibiting the African slave-trade, all additions and amendments which may be necessary to those laws to render them effectual should be immediately adopted by Congress, and especially the provisions of those laws which prohibit the importation of African slaves into the United States. I have further provided it as a recommendation to all the States of this Union, that whereas laws have been passed of an unconstitutional character (and all laws are of that character which either conflict with the constitutional acts of

Congress, or which, in their operation, hinder or delay the proper execution of the acts of Congress), which laws are null and void, and yet, though null and void, they have been the source of mischief and discontent in the country, under the extraordinary circumstances in which we are placed. I have supposed that it would not be improper or unbecoming in Congress to recommend to the States, both North and South, the repeal of all such acts of theirs as were intended to control, or intended to obstruct, the operation of the acts of Congress, or which, in their operation and in their application, have been made use of for the purpose of such hinderance and opposition, and that they will repeal these laws or make such explanations or corrections of them as to prevent their being used for any such mischievous purpose.

I have endeavored to look with impartiality from one end of our country to the other. I have endeavored to search up what appeared to me to be the causes of discontent pervading the land; and, as far as I am capable of doing so, I have endeavored to propose a remedy for them. I am far from believing that, in the shape in which I present these measures, they will meet with the acceptance of the Senate. It will be sufficiently gratifying if, with all the amendments that the superior knowledge of the Senate may make to them, they shall, to any effectual extent, quiet the country.

Mr. President, great dangers surround us. The Union of these States is dear to the people of the United States. The long experience of its blessings, the mighty hopes of the future, have made it dear to the hearts of the American people. Whatever politicians may say; whatever of dissension may, in the heat of party politics, be created among our people, when you come down to the question of the existence of the Constitution, that is a question beyond all party politics; that is a question of life and death. The Constitution and the Union are the life of this great people,—yes, sir, the life of life. We all desire to preserve them, North and South; that is the universal desire. But some of the Southern States, smarting under what they conceive to be aggressions of their Northern brethren and of the Northern States, are not contented to continue this Union, and are taking steps—formidable steps—towards a dissolution of the Union, and towards the anarchy and the bloodshed, I fear, that are to follow. I say, sir, we are in the presence of great events. We must elevate ourselves to the level of the great occasion. No party warfare about mere party questions or party measures ought now to engage our attention. They are left behind; they are as dust in the balance. The life, the existence of our country, of our Union, is the mighty question;

and we must elevate ourselves to all those considerations which belong to this high subject.

I hope, therefore, gentlemen will be disposed to bring the sincerest spirit of conciliation, the sincerest spirit and desire to adjust all these difficulties, and to think nothing of any little concessions of opinions that they may make, if thereby the Constitution and the country can be preserved.

The great difficulty here, sir,—I know it—I recognize it as the difficult question, particularly with the gentlemen from the North,—is the admission of this line of division for the territory, and the recognition of slavery on the one side and the prohibition of it on the other. The recognition of slavery on the Southern side of that line is the great difficulty, the great question with them. Now, I beseech them to think, and you, Mr. President, and all, to think whether, for such a comparative trifle as that, the Union of this country is to be sacrificed. Have we realized to ourselves the momentous consequences of such an event? When has the world seen such an event? This is a mighty empire. Its existence spreads its influence throughout the civilized world; its overthrow will be the greatest shock that civilization and free government have received, more extensive in its consequences, more fatal to mankind and to the great principles upon which the liberty of mankind depends than the French Revolution with all its blood and with all its war and violence. And all for what? Upon questions concerning this line of division between slavery and freedom? Why, Mr. President, suppose this day all the Southern States being refused this right, being refused this partition, being denied this privilege, were to separate from the Northern States and do it peacefully, and then were to come to you peacefully and say, "Let there be no war between us—let us divide fairly the Territories of the United States," could the Northern section of the country refuse so just a demand? What would you then give them? What would be the fair proportion? If you allowed them their fair relative proportion, would you not give them as much as is now proposed to be assigned on the Southern side of that line, and would they not be at liberty to carry their slaves there if they pleased? You would give them the whole of that; and then what would be its fate?

Is it upon the general principle of humanity, then, that you [addressing Republican senators] wish to put an end to slavery, or is it to be urged by you as a mere topic and point of party controversy to sustain party power? Surely I give you credit for looking at it upon broader and more generous principles. Then, in the worst event, after you have encountered disunion, that greatest of all political calamities to the people of this

country, and the disunionists come, the separating States come, and demand or take their portion of the Territories, they can take and will be entitled to take all that will now lie on the Southern side of the line which I have proposed. Then they will have a right to permit slavery to exist in it; and what do you gain for the cause of anti-slavery? Nothing whatever. Suppose you should refuse their demand and claim the whole for yourselves; that would be a flagrant injustice, which you would not be willing that I should suppose would occur. But if you did, what would be the consequence? A State north and a State south, and all the States north and south would be attempting to grasp at and seize this territory, and to get all of it that they could. That would be the struggle, and you would have war, and not only disunion, but all these fatal consequences would follow from your refusal now to permit slavery to exist, to recognize it as existing, on the southern side of the proposed line, while you give to the people there the right to exclude it when they come to form a State government, if such should be their will and pleasure.

Now, gentlemen, in view of this subject, in view of the mighty consequences, in view of the great events which are present before you, and of the mighty consequences which are just now to take effect, is it not better to settle the question by a division upon the line of the Missouri Compromise? For thirty years we lived quietly and peacefully under it. Our people, North and South, were accustomed to look at it as a proper and just line. Can we not do so again? We did it then to preserve the peace of the country. Now, you see this Union in the most imminent danger. I declare to you that it is my solemn conviction that, unless something be done, and something equivalent to this proposition, we shall be a separated and divided people in six months from this time. That is my firm conviction. There is no man here who deplures it more than I do; but it is my sad and melancholy conviction that that will be the consequence. I wish you to realize fully the danger; I wish you to realize fully the consequences which are to follow. You can give increased stability to this Union; you can give it an existence, a glorious existence, for great and glorious centuries to come, by now setting it upon a permanent basis, recognizing what the South considers as its rights; and this is the greatest of them all: it is that you should divide the territory by this line and allow the people south of it to have slavery when they are admitted into the Union as States, and to have it during the existence of the territorial government. That is all. Is it not the cheapest price at which such a blessing as this Union was ever purchased? You think, perhaps, or some of you, that there is

no danger—that it will but thunder and pass away. Do not entertain such a fatal delusion. I tell you it is not so; I tell you that as sure as we stand here disunion will progress. I fear it may swallow up even old Kentucky in its vortex—as true a State to the Union as yet exists in the whole Confederacy—unless something be done; but that you will have disunion, that anarchy and war will follow it, that all this will take place in six months, I believe as confidently as I believe in your presence. I want to satisfy you of the fact.

Mr. President, I rise to suggest another consideration. I have been surprised to find, upon a little examination, that when the peace of 1783 was made, which recognized the independence of this country by Great Britain, the States north of Mason and Dixon's line had but a territory of one hundred and sixty-four thousand square miles, while the States south of Mason and Dixon's line had more than six hundred thousand square miles. It was so divided. Virginia shortly afterwards ceded to the United States all that noble territory northwest of the Ohio River, and excluded slavery from it. That changed the relative proportion of territory. After that the North had four hundred and twenty-five thousand square miles, and the South three hundred and eighty-five thousand. Thus, at once, by the concession of Virginia, the North, from one hundred and sixty-four thousand, rose to four hundred and twenty-five thousand square miles, and the South fell from six hundred thousand to three hundred and eighty-five thousand square miles. By that cession the South became smaller in extent than the North. Well, let us look beyond. I intend to take up as little time as possible, and to avoid details; but take all your subsequent acquisitions of Florida, of Louisiana, of Oregon, of Texas, and the acquisitions made from Mexico. They have been so divided and so disposed of that the North has now two million two hundred thousand square miles of territory, and the South has less than one million.

Under these circumstances, when you have been so greatly magnified,—I do not complain of it, I am stating facts,—when your section has been made so mighty by these great acquisitions, and, to a great extent, with the perfect consent of the South, ought you to hesitate now upon adopting this line which will leave to you, on the north side of it, nine hundred and odd thousand square miles, and leave to the South only two hundred and eighty-five thousand? It will give you three times as much as it will give her. There is three times as much land in your portion as in hers. The South has already occupied some of it, and it is in States; but altogether the South gets by this division two hundred and eighty-five thousand square



miles, and the North nine hundred thousand. The result of the whole of it is that the North has two million two hundred thousand square miles and the South only one million.

I mention this as no reproach, as no upbraiding, as no complaint,—none at all. I do not speak in that spirit,—I do not address you in that temper. But these are the facts, and they ought, it seems to me, to have some weight; and when we come to make a peace-offering, are we to count it, are we to measure it nicely in golden scales? You get a price, and the dearest price, for all the concession asked to be made,—you have the firmer establishment of your Union; you have the restoration of peace and tranquillity, and the hopes of a mighty future, all secured by this concession. How dearly must one individual, or two individuals, or many individuals, value their private opinions if they think them more important to the world than this mighty interest of the Union and government of the United States!

Sir, it is a cheap sacrifice. It is a glorious sacrifice. This Union cost a great deal to establish it; it cost the yielding of much of public opinion and much of policy, besides the direct or indirect cost of it in all the war to establish the independence of this country. When it was done, General Washington himself said, "Providence has helped us, or we could not have accomplished this thing." And this gift of our wisest men; this great work of their hands; this work in the foundation and the structure of which Providence Himself, with his benignant hand, helped,—are we to give it all up for such small considerations? The present exasperation; the present feeling of disunion, is the result of a long-continued controversy on the subject of slavery and of territory. I shall not attempt to trace that controversy; it is unnecessary to the occasion, and might be harmful. In relation to such controversies I will say, though, that all the wrong is never on one side, or all the right on the other. Right and wrong, in this world, and in all such controversies, are mingled together. I forbear now any discussion or any reference to the right or wrong of the controversy,—the mere party controversy; but in the progress of party, we now come to a point where party ceases to deserve consideration, and the preservation of the Union demands our highest and our greatest exertions. To preserve the Constitution of the country is the highest duty of the Senate, the highest duty of Congress,—to preserve it and to perpetuate it, that we may hand down the glories which we have received to our children and to our posterity, and to generations far beyond us. We are, senators, in positions where history is to take notice of the course we pursue.

History is to record us. Is it to record that when the destruction of the Union was imminent; when we saw it tottering to its fall; when we saw brothers arming their hands for hostility with one another, we stood quarreling about points of party politics; about questions which we attempted to sanctify and to consecrate by appealing to our conscience as the source of them? Are we to allow such fearful catastrophes to occur while we stand trifling away our time? While we stand thus, showing our inferiority to the great and mighty dead; showing our inferiority to the high positions which we occupy, the country may be destroyed and ruined; and to the amazement of all the world, the great republic may fall prostrate and in ruins, carrying with it the very hope of that liberty which we have heretofore enjoyed; carrying with it, in place of the peace we have enjoyed, nothing but revolution, and havoc, and anarchy. Shall it be said that we have allowed all these evils to come upon our country, while we were engaged in the petty and small disputes and debates to which I have referred? Can it be that our name is to rest in history with this everlasting stigma and blot upon it?

Sir, I wish to God it was in my power to preserve this Union by renouncing or agreeing to give up every conscientious and other opinion. I might not be able to discard it from my mind. I am under no obligation to do that. I may retain the opinion; but if I can do so great a good as to preserve my country, and give it peace, and its institutions and its Union stability, I will forego any action upon my opinions. Well now, my friends [addressing the Republican senators], that is all that is asked of you. Consider it well, and I do not distrust the result. As to the rest of this body, the gentlemen from the South, I would say to them, Can you ask more than this? Are you bent on revolution, bent on disunion? God forbid it. I cannot believe that such madness possesses the American people. This gives reasonable satisfaction. I can speak with confidence only of my own State. Old Kentucky will be satisfied with it, and she will stand by the Union and die by the Union if this satisfaction be given. Nothing shall seduce her. The clamor of no revolution, the seductions and temptations of no revolution, will tempt her to move one step. She has stood always by the side of the Constitution; she has always been devoted to it, and is this day. Give her this satisfaction, and I believe all the States of the South that are not desirous of disunion as a better thing than the Union and the Constitution, will be satisfied and will adhere to the Union, and we shall go on again in our great career of national prosperity and national glory.

But, sir, it is not necessary for me to speak to you of the

consequences that will follow disunion. Who of us is not proud of the greatness we have achieved? Disunion and separation destroy that greatness. Once disunited, we are no longer great. The nations of the earth who have looked upon you as a formidable power, a mighty power, and rising to untold and immeasurable greatness in the future, will scoff at you. Your flag, that now claims the respect of the world, that protects American property in every port and harbor of the world, that protects the rights of your citizens everywhere, what will become of it? What becomes of its glorious influence? It is gone; and with it the protection of American citizens and property. To say nothing of the national honor which it displayed to all the world, the protection of your rights, the protection of your property abroad, is gone with that national flag, and we are hereafter to conjure and contrive different flags for our different republics according to the feverish fancies of revolutionary patriots and disturbers of the peace of the world. No, sir; I want to follow no such flag. I want to preserve the union of my country. We have it in our power to do so, and we are responsible if we do not do it.

I do not despair of the republic. When I see before me senators of so much intelligence and so much patriotism, who have been so honored by their country, sent here as the guardians of that very Union which is now in question, sent here as the guardians of our national rights, and as guardians of that national flag, I cannot despair; I cannot despond. I cannot but believe that they will find some means of reconciling and adjusting the rights of all parties, by concessions, if necessary, so as to preserve and give more stability to the country and to its institutions.

Mr. President, I have occupied more time than I intended. My remarks were designed and contemplated only to reach to an explanation of this resolution.

The presiding officer (Mr. Fitzpatrick in the chair).—Does the senator desire the resolution to be read?

Mr. Crittenden.—Yes, sir; I ask that it be read to the Senate.

Mr. Green.—The hour has arrived for the consideration of the special order.

Mr. Crittenden.—I desire to present this resolution now to the Senate; and I ask that it may be read and printed.

The presiding officer.—The secretary will report the resolution.

The secretary read it, as follows:

A JOINT RESOLUTION (S. No. 50) PROPOSING CERTAIN AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES.

*Whereas*, serious and alarming dissensions have arisen between the Northern and Southern States concerning the rights

and security of the rights of the slaveholding States, and especially their rights in the common territory of the United States; and *whereas*, it is eminently desirable and proper that these dissensions, which now threaten the very existence of this Union, should be permanently quieted and settled by constitutional provisions, which shall do equal justice to all sections, and thereby restore to the people that peace and good will which ought to prevail between all the citizens of the United States; therefore

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled* (two-thirds of both Houses concurring), That the following articles be and are hereby proposed and submitted as amendments to the Constitution of the United States, which shall be valid to all intents and purposes, as part of said Constitution, when ratified by conventions of three-fourths of the several States:

ARTICLE 1. In all the territory of the United States now held, or hereafter acquired, situate north of latitude  $36^{\circ} 30'$ , slavery or involuntary servitude, except as a punishment for crime, is prohibited while such territory shall remain under territorial government. In all the territory south of said line of latitude, slavery of the African race is hereby recognized as existing, and shall not be interfered with by Congress, but shall be protected as property by all the departments of the territorial government during its continuance. And when any Territory, north or south of said line, within such boundaries as Congress may prescribe, shall contain the population requisite for a member of Congress according to the then Federal ratio of representation of the people of the United States, it shall, if its form of government be republican, be admitted into the Union on an equal footing with the original States, with or without slavery, as the constitution of such new State may provide.

ART. 2. Congress shall have no power to abolish slavery in places under its exclusive jurisdiction, and situate within the limits of States that permit the holding of slaves.

ART. 3. Congress shall have no power to abolish slavery within the District of Columbia, so long as it exists in the adjoining States of Virginia and Maryland, or either, nor without the consent of the inhabitants, nor without just compensation first made to such owners of slaves as do not consent to such abolishment. Nor shall Congress at any time prohibit officers of the Federal government, or members of Congress, whose duties require them to be in said District, from bringing with them their slaves, and holding them as such during the time their duties may require them to remain there, and afterwards taking them from the District.

ART. 4. Congress shall have no power to prohibit or hinder the transportation of slaves from one State to another, or to a Territory in which slaves are by law permitted to be held, whether that transportation be by land, navigable rivers, or by the sea.

ART. 5. That, in addition to the provisions of the third paragraph of the second section of the fourth article of the Constitution of the United States, Congress shall have power to provide by law, and it shall be its duty so to provide, that the United States shall pay to the owner who shall apply for it the full value of his fugitive slave in all cases when the marshal or other officer whose duty it was to arrest said fugitive was prevented from so doing by violence or intimidation, or when, after arrest, said fugitive was rescued by force, and the owner thereby prevented and obstructed in the pursuit of his remedy for the recovery of his fugitive slave under the said clause of the Constitution and the laws made in pursuance thereof. And in all such cases, when the United States shall pay for such fugitive, they shall have the right, in their own name, to sue the county in which said violence, intimidation, or rescue was committed, and to recover from it, with interest and damages, the amount paid by them for said fugitive slave. And the said county, after it has paid said amount to the United States, may, for its indemnity, sue and recover from the wrong-doers or rescuers by whom the owner was prevented from the recovery of his fugitive slave, in like manner as the owner himself might have sued and recovered.

ART. 6. No future amendment of the Constitution shall affect the five preceding articles; nor the third paragraph of the second section of the first article of the Constitution; nor the third paragraph of the second section of the fourth article of said Constitution; and no amendment shall be made to the Constitution which shall authorize or give to Congress any power to abolish or interfere with slavery in any of the States by whose laws it is, or may be, allowed or permitted.

And *whereas*, also, besides those causes of dissension embraced in the foregoing amendments proposed to the Constitution of the United States, there are others which come within the jurisdiction of Congress, and may be remedied by its legislative power; and *whereas*, it is the desire of Congress, as far as its power will extend, to remove all just cause for the popular discontent and agitation which now disturb the peace of the country and threaten the stability of its institutions; therefore

1. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the laws now in force for the recovery of fugitive slaves are in strict pursuance of the plain and mandatory provisions of the Constitution, and

have been sanctioned as valid and constitutional by the judgment of the Supreme Court of the United States; that the slaveholding States are entitled to the faithful observance and execution of those laws, and that they ought not to be repealed, or so modified or changed as to impair their efficiency; and that laws ought to be made for the punishment of those who attempt by rescue of the slave, or other illegal means, to hinder or defeat the due execution of said laws.

2. That all State laws which conflict with the fugitive-slave acts of Congress, or any other constitutional acts of Congress, or which, in their operation, impede, hinder, or delay the free course and due execution of any of said acts, are null and void by the plain provisions of the Constitution of the United States; yet those State laws, void as they are, have given color to practices and led to consequences which have obstructed the due administration and execution of acts of Congress, and especially the acts for the delivery of fugitive slaves, and have thereby contributed much to the discord and commotion now prevailing. Congress, therefore, in the present perilous juncture, does not deem it improper respectfully and earnestly to recommend the repeal of those laws to the several States which have enacted them, or such legislative corrections or explanations of them as may prevent their being used or perverted to such mischievous purposes.

3. That the act of the 18th of September, 1850, commonly called the fugitive-slave law, ought to be so amended as to make the fee of the commissioner, mentioned in the eighth section of the act, equal in amount in the cases decided by him, whether his decision be in favor of or against the claimant; and, to avoid misconstruction, the last clause of the fifth section of said act, which authorizes the person holding a warrant for the arrest or detention of a fugitive slave, to summon to his aid the *posse comitatus*, and which declares it to be the duty of all good citizens to assist him in its execution, ought to be so amended as to expressly limit the authority and duty to cases in which there shall be resistance or danger of resistance or rescue.

4. That the laws for the suppression of the African slave-trade, and especially those prohibiting the importation of slaves in the United States, ought to be made effectual, and ought to be thoroughly executed; and all further enactments necessary to those ends ought to be promptly made.

(In Senate, 1860. Crittenden Resolutions.)

Mr. Crittenden.—Mr. President, I move that the resolutions which I had the honor of offering some time ago be taken up now for consideration. I am only desirous to have a vote of

the Senate upon this subject; and if the measures I have proposed are not acceptable to the Senate, we may perhaps agree upon others which may find favor. I believe, when we had this subject under consideration before, the question was upon the adoption of the first article of amendment which I had the honor of offering on that question. I ask the yeas and nays. I will submit to a motion to postpone it until to-morrow; but as for giving way to the Pacific Railroad bill, or to any other bill, I think the Senate will not consider it proper. The people expect, at least, a decision upon this subject, and I insist upon it at the earliest period. If the gentleman makes a motion to postpone till to-morrow, I will vote for it; but I will not postpone for the railroad bill. I call for the yeas and nays. It seems to me evident from this dilatory sort of proceeding that gentlemen are trying to postpone this subject. I do not wish to embarrass the Chair by questions about order. It is a point about which I have no great skill. I suppose it must be a clear proposition that the Senate has a right to order the course of its business, and say it will act upon such a subject until it is concluded, when that subject comes regularly up for action. I will, however, withdraw that part of the motion, and leave the question so that they shall be called up to-morrow to the exclusion of all other business. I suppose the Senate can make that order without question. Do not let us trifle with the greatest subject that can possibly be before the Senate,—I cannot consent to it. I hope the Senate will treat the subject with the solemnity which belongs to it, and manifest a temper and disposition to act decidedly and promptly.

(John A. Dix to J. J. Crittenden.)

NEW YORK, December 22, 1860.

MY DEAR SIR,—I have read your proposition for reconciling existing differences between the North and South. I would most cheerfully accept it. I feel a strong confidence that we could carry three-fourths of the States in favor of it as an amendment to the Constitution. Will not the Republicans in Congress take it? They voted against the repeal of the Missouri Compromise. Why may they not with perfect consistency vote to re-establish it, and give it permanency?

I feel the deepest interest in the adjustment of this unhappy controversy; but our destinies are in the hands of those who would, I fear, listen to no words of mine.

With sincere regard, yours,

HON. J. J. CRITTENDEN.

JOHN A. DIX.

(Edward Everett to J. J. Crittenden.)

BOSTON, December 23, 1860.

MY DEAR SIR,—I am much obliged to you for a copy of the joint resolutions moved by you. I saw with great satisfaction your patriotic movement, and I wish from the bottom of my heart that it may succeed. There is nothing in your resolutions for which I would not cheerfully vote, if their adoption as amendments of the Constitution would save us from disunion, and, what I consider its necessary consequences, civil war, anarchy, desolation at home, the loss of all respectability and influence abroad, and, finally, military despotism. I would agree to anything rather than incur the risk of these calamities. I suppose your resolutions will command the ready assent of all conservative members of Congress. Have you any encouragement that they will be concurred in by any considerable number of Republicans? I could wish that our Southern brethren would be contented without inserting the word *slave* in the Constitution, it having been *studiously* omitted by the framers, and also that the right of holding slaves south of the 36° 30' had been left to inference, as it was in the Missouri Compromise, and not expressly *asserted*. Both these points will be stumbling-blocks with many conservative members of the Republican party. My good friend, we are in a bad way. Cannot our Southern friends be persuaded to proceed more deliberately? They give no time for healing counsels to take effect; nor do they consider in what a position they place their friends here.

I remain, with sincere regard, faithfully yours,

EDWARD EVERETT.

I ought to make my personal acknowledgments to you for your noble efforts in the canvass. The kindest compliments of the season to you.

(Elisha Whittlesey to J. J. Crittenden.)

CANFIELD, MAHONING COUNTY, OHIO,

December 24, 1860.

MY DEAR FRIEND,—I have read with great pleasure your speech in the Senate on the 18th, as published in the *Globe*, and as far as I have been able to place it in the hands of my conservative neighbors, they express their high gratification in your able and patriotic effort to arrest the *mad designs* of those who wish the dissolution of the Union. Although your propositions were too late to prevent the secession of South Carolina, we bless you as a peace-maker. How little the great mass of the people in the States, formed from the Northwestern Territory, know of the obligations the few settlers were under to the



patriotic and noble spirits of Kentucky and Virginia during the war of 1812, and during the previous Indian wars! The times are truly alarming, but whatever may be the result, our hearts are filled with gratitude to you for your exertions to harmonize discordant feelings, and thereby prevent a dissolution of this blessed Union.

I thought my duty required me to say this much.

Most respectfully yours,

ELISHA WHITTLESEY.

(R. C. Winthrop to J. J. Crittenden.)

BOSTON, December 24, 1860.

My DEAR MR. CRITTENDEN,—I thank you for the copy of your compromise plan under your own hand. I shall value it always as an evidence of your having remembered me among those whom you thought would be glad to co-operate in any reasonable scheme for saving our beloved country. There are some features of the plan which I might wish modified; but I should try hard to sustain you in such measures as were essential to rescue us from disunion and civil war. While I write, however, the telegraph brings me word that your committee has failed to agree upon anything, and that you are in despair. Never, never let us despair of the republic! And yet one hardly knows how to hope for anything good while there is so much passionate and precipitate action at the South. It is due to the momentous interests at stake that time should be allowed for deliberation; and I trust that some mode will be devised for protracting the final question until public opinion shall have had a chance to express itself. Meanwhile, it occurs to me, that the North might be conciliated towards meeting the requisitions of the South, *if* a prohibition of the foreign slave-trade were *incorporated* with the *Constitution* instead of being left to rest upon legislation. The Constitution gave power to Congress to prohibit it after twenty years, and you propose a provision for more stringent legislation. Why not make its prohibition a constitutional matter? This would afford a strong inducement to the North to run the Missouri Compromise to the Pacific, or to adopt almost any other settlement of the internal slavery question, and would take the subject entirely out of the reach of congressional action. But I know not what may be practicable with you, or with us, and I only desired to thank you for remembering me, and to assure you of my heartfelt sympathy in your *labors* and *trials*.

Believe me *always*, with the greatest regard, sincerely yours,

ROBERT C. WINTHROP.

Hon. J. J. CRITTENDEN.

(Amos A. Lawrence to J. J. Crittenden.)

BOSTON, December 29, 1860.

MY DEAR SIR,—We are all watching with interest your patriotic and vigorous efforts for pacification. I inclose a paper, written by Judge Curtis, of which I am sending *six thousand* to all the clergymen, justices of the peace, members of the legislature, etc. in this State. These are to be followed by petitions to the legislature, in various forms, for the repeal of our "personal liberty bills." One of the elements which produce reaction is disappearing,—I mean the scarcity of money. There is danger that we may soon lose another, viz., the unwarlike condition of the public mind. The contrast between us and the South, in this respect, is most striking. Here, and through the whole North and West, nobody has thought of war or of arms, not a musket or pistol has been *bought* or *sold* for any civil strife. Nine out of ten of our people would laugh if told that blood must be shed. This condition of peace, which is conducive to calm reasoning and to reaction, may, and I fear *will*, be changed suddenly. The first blow struck, by any State or local authority, at the United States government will arouse and unite the whole Northern people. Partisan faults will be forgotten, and no *retroactive* legislation can be accomplished. The secessionists seem to be ignorant of the powers which their meditated treason will give the government. Mr. Buchanan himself seems not to be aware of the strength of the government for the repression of rebellion. The destruction of his little force would bring out the *warlike feeling in a day*. Mr. William Appleton was encouraged by his interview with the President. On receiving your letter, I gave up importuning Republicans to sign the address in regard to the "liberty law," and have since made better progress. This is written to thank you, and inform you that we are at the *old work* of saving the Union; *but*, under your direction, so far as you are willing to direct, I shall take the liberty to report to you occasionally, but not if it obliges you to reply.

With great respect and regard,

J. J. CRITTENDEN.

AMOS A. LAWRENCE.

(In Senate, January 3d, 1861. Adopting the Crittenden Compromise.)

Mr. Bigler presented proceedings of meetings held at Harrisburg and at Carlisle, Pennsylvania, desiring that the measures of adjustment, suggested by Mr. Crittenden, should be promptly adopted.

(In Senate, January 14th, 1861.)

Mr. Crittenden presented petition of citizens of Annapolis, Maryland, praying the adoption of the compromise measures proposed by him.

(In Senate, January 15th, 1861.)

Mr. Bayard presented petitions of citizens of Wilmington, Delaware, without distinction of party, praying to adopt the resolutions of the senator from Kentucky, J. J. Crittenden.

Mr. Kennedy presented petitions of citizens of Frederick County, Maryland, praying adoption of Crittenden Compromise measures.

Mr. Bigler presented petitions of Philadelphia, of Port Clinton, and of Lehigh County, Pennsylvania, praying severally the adoption of the Crittenden Compromise.

(In Senate, January 16th, 1861.)

Mr. Crittenden presented petitions of citizens of Maryland praying the adoption of his compromise measures.

Mr. Bigler presented petition of citizens of Easton, Pennsylvania, praying the passage of Mr. Crittenden's Compromise measures.

(In Senate, January 18th, 1861.)

Mr. Crittenden.—Mr. President, I have been honored by the request of many of my fellow-citizens, unknown to me, to present petitions to Congress requesting the two Houses to adopt the resolutions of compromise which I had the honor to present, one from Monongalia County, Virginia, one from Philadelphia, one from Illinois, and one from Michigan. I present them to the respectful consideration of the Senate.

(In Senate, January 21st, 1861.)

Mr. Bigler presented petitions of citizens of Mount Bethel, Pennsylvania, praying the adoption of Crittenden Compromise measures; also petition of citizens of Chenango County, New York, to the same effect.

Mr. Crittenden presented petition from citizens of Michigan, and asked that it might be read. They begged that the Crittenden propositions, as modified and agreed to by the committee, be referred directly to the people of all the States for their action.

Mr. Polk presented a paper from the city of St. Louis, expressing the belief that the passage by Congress of the Crittenden resolutions will give peace to the public mind, and asking that they be passed, or the substance of them. The petition consists of between ninety-five and one hundred leaves of foolscap paper, enveloped in the American flag, inscribed, "We love the North; we love the East; we love the West; we love the South intensely."

Mr. Crittenden.—I hope the petition will be read.

Mr. Trumbull.—I believe it is not according to the rules to read petitions.

Mr. Crittenden.—I should like to know where you learn that it is not according to rule to read petitions. There can be no rule against it. The secretary read :

"We, the undersigned, citizens of St. Louis, believing that the adoption of the propositions for settling the issues now disturbing our country, introduced into the Senate by Senator Crittenden, of Kentucky, would have the effect of giving peace to the public mind, respectfully ask the Congress of the United States to accept of said propositions, and to offer articles of amendment to the Constitution to the people and the States for their acceptance."

(In Senate, January 22d, 1861.)

Mr. Crittenden presented petition of citizens of Michigan, also of Detroit, Michigan, praying for adoption of Crittenden Compromise.

(In Senate, January 28th, 1861.)

Mr. Crittenden presented petition of citizens of Ann Arbor, Michigan, praying for the adoption of Crittenden Compromise.

(In Senate, January 29th, 1861.)

Mr. Crittenden presented petitions of citizens of Massachusetts, praying the adoption of Crittenden Compromise.

(In Senate, January 30th, 1861.)

Mr. Crittenden.—Mr. President, I am honored by the request to present to the Senate a petition signed, as I am informed, by thirty-four hundred citizens of the State of Massachusetts, recommending the propositions which I have submitted for the settlement of the difficulties which are now impending over the country. When I came in just now, Mr. President, I heard my friend from New Hampshire, who was on the floor, addressing the Senate in his usual pleasant and agreeable style, allude to a dispatch, which he had seen published, signed by myself and others, expressing a hope and a belief that these difficulties would in some way be adjusted by the present Congress. I do entertain that hope, sir, and that hope is encouraged and cherished not only by the anticipations that the patriotic gentleman himself may give assistance to such a settlement before the conclusion of the session, but I find a further and a higher exhortation to that hope in the various petitions from the people coming up constantly to this body. The great heart of the country desires a settlement. I hope that as we met here so we shall part in peace, with such an adjustment as will send a thrill of

joy throughout this vast country. I move that the petition be read and laid on the table.

Mr. Wilson presented petition of citizens of Newburyport, Massachusetts, asking the passage of Crittenden Compromise resolutions.

Mr. Bigler presented petition of citizens of Snyder County, Pennsylvania, praying the adoption of Crittenden Compromise measures; also petitions of Claiborne County to the same effect.

Mr. Crittenden presented the following petition from State of Massachusetts:

"The undersigned, citizens of the State of Massachusetts, believing that the proposition of Honorable J. J. Crittenden, of Kentucky, presents a practical basis for the settlement of the questions now disturbing the peace of the country, respectfully pray that the same may be adopted."

Also petition from Grand Rapids, in State of Michigan, without distinction of party, solemnly entreating that Congress would pass the Crittenden resolutions and give them an opportunity to vote on and decide at the ballot-box the constitutional amendments embraced in the resolutions.

Another petition from citizens of Michigan, imploring Congress to adopt the Crittenden Compromise.

Another petition from citizens of Michigan.

Another from citizens of Michigan.

Another from citizens of Michigan.

Another from citizens of Michigan.

Another from citizens of Michigan *to the same effect*.

Mr. President, this is, indeed, a very patriotic State. I am requested to present an appeal to the Senate by the presidents of a great amount of railroad property in this country, who met here recently on business connected with these railroads, and, having finished that business, thought they might, without impropriety, venture to express their opinions on the great subjects of the day. They passed resolutions unanimously declaratory of their opinions, and requested that I should present them to the Senate, which I now do, and ask that they may be read.

Mr. Hale.—I rise to a question of order. I want to know if that is a petition or a memorial addressed to the Senate.

Mr. Crittenden.—Yes.

Mr. Hale.—If it is what I saw in the newspapers, it is not of that kind. Of course, I do not want to question the senator's word.

Mr. Crittenden.—I stated exactly what it was. The gentleman need not question my word.

Mr. Hale.—I did not.

Mr. Crittenden.—Cannot a citizen appeal to Congress in the language of resolution as well as any other form of petition? There is no form of petition prescribed. The Constitution guarantees to citizens the right of petitioning Congress.

Mr. President, in the days when the Constitution was made, "the right of petition," which is nothing more than the right of a popular appeal to the representative body of the government, was thought to be of some value,—perhaps in that day it was of some value. Before the Parliament of Great Britain, in the days of our ancestors, it had occasionally exercised a great influence. I believe it has, in a great degree, lost power; but still it is a privilege and a right secured by the Constitution. The people have a right to petition Congress, according to the Constitution. What does that mean, Mr. President? Was this right deemed a matter of substance, or was it intended as a mere formula to be exercised in a particular mode or in particular phraseology?—"I pray the honorable Senate," "I beg the honorable Senate," "I desire to make known to the honorable Senate." Will all these forms be embraced by the general language of the Constitution under the right of petition? We know that this right of petition is frequently exercised in the most positive and mandatory language that is consistent with respect to this body, and it may well be so.

It is not the language of supplicants. The Constitution never intended that our people should become *supplicants* before they could have the privilege of expressing their opinions to their representatives. The Constitution intended that the doors should be kept open, that the people might speak in what language they pleased, provided it was respectful, to their representatives. This is the substance of the right of petition. It is the right of freemen; to be expressed like freemen,—and not the language of mere supplicants, who come with formal prayers in their mouths.

Well, sir, if this is the true sense and understanding of the constitutional right of petition, I ask, what more effective, what more brief, mode can be adopted than that which these petitioners have selected? A great measure is depending before Congress. These gentlemen express their opinions, and ask that their views may be presented to the Senate of their country and to the House of Representatives.

Now, sir, is not this a petition in the sense of the Constitution? How are you to distinguish between this and any other mode of written appeal by the citizen? They ask me to present it to the Senate. They ask, in effect and impliedly, if the Senate will receive this expression of their opinions. You can

make nothing more or less of it, sir; and unless we intend, by technical constructions and rigorous proscription of the rules, to confine the people to as precise a mode as possible of coming to the Senate, to make the road narrow and difficult for them, we should not be very careful about the form or language in which the people express themselves. They have a right to be heard when they wish to be heard.

It is said there has been a case like this which has been otherwise decided. I take it for granted it was as gentlemen have stated. Another case was supposed to exist of resolutions of a convention in Kentucky. Their resolutions, however, did not express any wish that they should be presented to the Senate. This could not, therefore, be heard by the Senate under the "right of petition." But here, on the contrary, is the express wish and opinion that it shall be presented, and I leave it to the Senate to say whether the right of the people shall be constrained and diminished—*cut down* to a particular form—before they can be allowed to be heard by their own senators and their own representatives. Instead of contracting we should enlarge, and keep open all sorts of communication with the people. There was a constitutional provision made that the people should be heard upon their petitions. The "right of petition" is but parliamentary language. It is the right of the people to appeal to and make known their opinions to their representatives in writing. This is the amount of it. If it does not amount to that, it is but the poor, miserable, pitiful right of supplicants, to come with folded arms, and bowed heads, and bated breath before Congress, and beg and supplicate. I hope no such doctrine will prevail here; and if ever such a decision has been given, that it will never be repeated in the Senate.

Mr. Bigler presented a memorial of a thousand citizens of Lancaster, Pennsylvania, without distinction, praying Congress to adopt the resolutions of Senator Crittenden for settling national difficulties.

Mr. Crittenden presented petition from the people of Albany, Indiana. They inform me that, at the last presidential election, one thousand nine hundred votes were given in the town of Albany and its vicinity, and this petition contains the names of one thousand five hundred. They beg leave to say that the adoption of the propositions contained in the Crittenden resolutions would be received by the border States as satisfactory, and render us once more a united and happy people. I am also charged to present petition of a number of citizens of Michigan to the same effect.

Also the petition of a number of citizens of New York, praying the adoption of the Crittenden resolutions.

Also the petition of citizens of Harford, in the State of Maryland.

Also the petition of citizens of Indiana to the same effect.

Mr. Wilson presented petition of five hundred citizens of Montgomery County, Indiana, praying the adoption of the Crittenden Compromise.

(In Senate, February 11th, 1861.)

Mr. Crittenden.—Mr. President, I rise again to discharge the agreeable duty of presenting to the Senate various petitions for settling our national troubles on the basis of the resolutions I had the honor to offer. The first is from citizens of Newburyport, Massachusetts. From a part of the Union very remote from that has come another petition, which I beg leave to present. From citizens of Missouri, accompanied by a flag of the old Union,—one that I hope may last forever. I have another from Clay County, Missouri; two others from the same State; another from Attleborough, in Massachusetts; another from Clay County, in Missouri.

Mr. Green.—I object to the reading; it is not according to rule.

Mr. Crittenden.—Is there any rule of the Senate against the reading of a petition? What is the right of petition? Not to have the petition read? I respectfully suggest that the Constitution makes a rule on this subject which neither the Senate nor anybody can violate.

The gentleman pronounces very emphatically that petitions are never read. Sir, it is idle to enter into any controversy of mere assertions here. My understanding is that they are often read. Often the person presenting them does not desire it; but there is no rule that they shall not be read,—far from it. The gentleman misapprehends the rule he reads. The mover of a petition is required to state the purport of it, and the petition must be in respectful language; this is preliminary to the presentation of the petition. But he supposes it is intended as a substitute for the reading of the petition,—entirely misapprehends the rule.

Presiding officer.—The secretary will read the rule.

Mr. Crittenden.—Mr. President, the rule exactly establishes what I have said, and I have not a word more to say.

The motion to read the petition was agreed to.

The citizens of Chester, Pennsylvania, humbly but earnestly pray that Congress may speedily adopt for the settlement of our national difficulties such measures as are substantially embraced in the plan of compromise presented by *Senator Crittenden*, believing that propositions so just to all sections of the country will restore tranquillity and peace.



(In Senate, February 14th, 1861.)

Mr. Cameron presented petitions from Lehigh County, Pennsylvania, praying the adoption of Crittenden Compromise.

Also petitions of citizens of Lancaster, Pennsylvania, to the same effect.

Mr. Seward presented petitions from Waterford, New York, to the same effect.

Mr. Crittenden.—Mr. President, the senator from Ohio, Mr. Pugh, upon leaving here in consequence of sickness in his family, left with me a petition to present. It is from citizens of Portsmouth, Ohio, about five hundred, praying the adoption of the propositions I have submitted to the Senate for the settlement of our national troubles.

Also a petition from Oyster Bay, New York, to the same effect.

Also from citizens of Bradford, Vermont, to the same effect.

Mr. Polk presented petitions of Pike County, Missouri, praying the adoption of Crittenden resolutions.

Mr. Rice presented petition of citizens of Minnesota, respectfully recommending adoption of Crittenden Compromise.

Mr. Bigler presented petitions of citizens of Bradford County, Pennsylvania, praying the adoption of Crittenden Compromise.

Also petitions from citizens of Safe Harbor, Pennsylvania, to same effect.

Mr. Douglas presented petitions from Trenton, Michigan, to the same effect.

Mr. Crittenden presented petitions from citizens of Westfield, Massachusetts, praying adoption of his compromise measures.

Also petitions from Morgan County, Illinois, to the same effect.

Also petition from Michigan to the same effect.

Also petitions from York, Maine, praying adoption of Crittenden Compromise.

*Vice-President* presented memorial of the Common Council of city of Boston to Senate and House of Representatives, saying that in the propositions offered for compromise by the Honorable J. J. Crittenden we recognize a satisfactory basis of adjustment.

(In Senate, February 19th, 1861.)

Mr. Rice presented memorial of citizens of St. Anthony, Minnesota, praying the adoption of Crittenden resolutions.

Also petition of citizens of St. Cloud to the same effect.

Also petition of citizens of Stillwater, Minnesota, to the same effect.

Mr. Crittenden.—Mr. President, I present a petition of legal

voters of Machias, Maine, and its vicinity, without distinction of party, praying Congress to adopt the measures of conciliation and compromise offered by me, or any other similar plan which will insure tranquillity and the peaceful perpetuity of the present American Union. I have no speech to make, but I may say that those petitions are about the best speeches I hear on this subject.

(In Senate, February 21st, 1861.)

Mr. Powell presented a petition of citizens of Superior City, Wisconsin, praying for the adoption of Crittenden Compromise.

Mr. Bigler presented petitions of Elk County, Pennsylvania, to the same effect.

Also a memorial of citizens of Schuylkill County, praying Congress to enact a law to submit to a vote of the people the proposed Crittenden Compromise.

Also proceedings at Alleghany, approving Crittenden Compromise.

Mr. Crittenden presented a petition of five hundred and seventy-eight citizens of Jefferson, Illinois, praying for the adoption of Crittenden Compromise.

Also petition of citizens of Liberty Corner, New Jersey, to the same effect.

(In Senate, February 23d, 1861.)

Mr. Crittenden presented petition of citizens of Michigan, praying the adoption of his compromise measures.

Also from citizens of Lincoln, Maine, to the same effect.

(In Senate, February 27th, 1861.)

Mr. Crittenden presented petition of citizens of Iowa, praying the adoption of his compromise measures.

Also petition of citizens of Muhlenburg, Kentucky, to the same purport.

Mr. Bigler presented petition of citizens of Blair City, Pennsylvania, to the same purport.

(In Senate, March 1st, 1861.)

Mr. Bigler presented petitions of citizens of Mercer County, Pennsylvania, praying adoption of Crittenden Compromise.

Mr. Crittenden.—Mr. President, at the instance of a very venerable and distinguished lady of the State of New York, it becomes my duty this morning to present the petition of herself and a very large number of the women of the United States—I am told about fourteen thousand. They are from the States of New York, Pennsylvania, Maryland, Ohio, Indiana, New Jersey, Delaware, Illinois, Vermont, New Hampshire,

North Carolina, and District of Columbia, praying Congress to take such measures as wisdom and patriotism may direct to restore peace. I present this petition to the serious consideration of the Senate. I think it is entitled to it not only from the character of the petitioners but from the critical condition of the country. I hope this petition will be respectfully and gravely regarded by the Senate of the United States. It would not be the first instance in history where the interposition of women had prevented the horrors of war. We learn in Roman history that when the Sabines and Romans were engaged in battle, the Sabine women rushed between the contending hosts. Their arms fell powerless, and peace was restored. We cannot hope for such effects; but I do hope that their interposition may have some influence upon the sterner nature of man, and incline us to a humane and patriotic consideration of this great subject. I know the precious value of every moment of the time of the Senate, and I forbear to make any observations.

## CHAPTER XIV.

1861.

Leonard Myers to J. J. Crittenden—Harry Conrad—G. K. Shirley—George S. Bryan—Thomas H. Clay—Robert Anderson—In Senate, January 16, 1861, Slavery Question, Amendment to the Constitution—Letter from Horatio Seymour—In Senate, January 18, 1861, Constitutional Conventions—In Senate, January 21, 1861, Slavery Question—In Senate, January 23, 1861, Postponing Joint Resolutions—Beauchamp and Townsend—In Senate, February 9, 1861, Proceedings of Meetings and Conventions, etc.—In Senate, February 12, 1861, State of the Union—Letter from A. T. Burnley.

(Leonard Myers to J. J. Crittenden.)

PHILADELPHIA, January 4, 1861.

HONORED SIR,—I see in the morning's paper your resolutions, offered in the Senate of the United States, that a provision be made by law for obtaining the sense of the people on your resolutions. I trust you will pardon me for suggesting that the *judgment* of the *people* under your resolutions, and their heartfelt feelings and fraternal love towards our *Southern brethren*, in fact, towards all our *brethren*, may be obtained by having your resolutions printed upon good paper (petition form) and sent broadcast over our beloved country, submitted to the people in every State, city, town, and borough for their signature; and thus would our people give an honest and patriotic expression of approval apart from the corrupting influence of mere political leaders. The time has arrived, dear sir, now that many of our political leaders seem to have lost the *patriotism* of statesmen, that an immediate and simultaneous *appeal* be made *at once* to the *whole people*. If Congress delays action upon your resolutions, then proceed by the way which the loftiest patriotism suggests,—*private action*. Apply to all true patriots of our beloved country, and let the expense be borne by them. I will give my mite cheerfully. I would that the hearts of our people, of every sex, age, and condition of life,—the *national heart*,—be fully allowed utterance, and avow their fraternal love to each other, and their *unalterable* devotion to their country, its Constitutions, and laws,—their firm resolve to accord to all their brethren their *rights* for the future, and their earnest desire for the restoration of *peace*. Oh, yes, summon to your aid all

patriots to the standard of our country,—from the North, the South, the East, the West,—meeting them in council, and, animated by fraternal love and devotion towards each other, and lovingly forgetful of the past and of the present, resolve to redress all grievances, real and imaginary, that any portion of our people have a right to claim. That Almighty God may *aid* and *inspire you*, that you may continue to discharge your *high duties* in this dark hour of your country's trial, and that your noble efforts in her behalf may be crowned with success, is my sincere prayer. I have the honor to be, dear sir,

Your servant,

LEONARD MYERS.

(Harry Conrad to J. J. Crittenden.)

PHILADELPHIA, January 5, 1861.

HON. J. J. CRITTENDEN.

DEAR SIR,—The resolutions offered by you will be indorsed by the people of Pennsylvania by two hundred thousand majority, if we can get a vote; on this you may rely. As I am unknown to you, you can, by inquiring of either of the representatives from this city, ascertain that I am not the person to make such an assertion without due consideration.

God grant that your noble and patriotic efforts to bring peace to our beloved country may be successful. It will be the noble crowning of a noble career.

I am, with great respect,

HARRY CONRAD.

(George K. Shirley to J. J. Crittenden.)

January 17, 1861.

DEAR SIR,—*Persevere* in your noble efforts to save the “old ship of state.” You have the eternal gratitude of *thousands* of thousands of young Democrats north of “Mason and Dixon,” who will fight for your compromise to the death.

Sincerely yours,

J. J. CRITTENDEN.

GEORGE K. SHIRLEY.

(George S. Bryan to J. J. Crittenden.)

CHARLESTON, January 6, 1861.

MY DEAR SIR,—I write you a very brief line, to beg you to exert any influence you have—and it must be great—to prevent any vessel from being sent into our harbor. The peace of the country depends upon it; and, what is even of more consequence, priceless as peace is, all chance for the *Union*. Our people will not bear a menace, and if a vessel is sent to reinforce Fort Sumter, they will strike, in my opinion, if it cost a thousand

lives. Receive this from one infinitely indebted to you for your boundless efforts to keep the peace and preserve the Union, and believe him to be ever faithfully in the bonds of the Union,  
Your friend and fellow-countryman,

GEORGE S. BRYAN.

Hon. J. J. CRITTENDEN, U. S. Sen.

On the 3d of January, 1861, Mr. Crittenden offered a resolution to the Senate and House of Representatives, that provision be made by law, without delay, for taking the sense of the people and submitting to their vote the resolutions he had offered on the 18th of December, 1860, as the basis for the final settlement of the disputes at that time disturbing the country and threatening its existence. He said, in a speech made on the 1st of January, that he had no hope that the amendments he had proposed to the Constitution could obtain a majority which would recommend them to the States for their adoption by convention or legislature; he therefore made this motion for a reference to the people. Extraordinary circumstances had induced him to attempt so extraordinary a resort. Amendments could not be recommended except by a two-thirds majority, and *that* he could not hope for. He now wished to invoke the judgment of the people upon that great question, on which their government depended. He considered the people the great source of all political authority. "The government was theirs, the Union was theirs, we their representatives. This mode was not forbidden by the Constitution. Some gentlemen are averse to compromise. Well, these amendments might be called a compromise." He thought they might, with equal propriety, be called an honest adjustment of rights. "All human life is but a compromise; from the cradle to the grave every step is a compromise between man and society. In respect to the compromise of a lawsuit, a man purchased his peace, and certainly there was nothing dearer. If there were no compromises, all important questions would be settled by force or war. Could the present majority plead a conscientious scruple as an apology for usurping all the territory of the country,—monopolizing all the common property? If men can make titles to common property in this way, this anti-slave dogma is a great nursery for conscientious scruples."

(Thomas H. Clay to J. J. Crittenden.)

MANSFIELD, NEAR LEXINGTON,  
January 9, 1861.

MY DEAR SIR,—As it is possible that some terms of compromise—either your own, which, as far as I can learn, meets with the approval of a large majority of the conservatives of the country, or some other—may be adopted before the meeting of our legislature on the 17th inst., I have forborne to write to you, hoping and trusting that a majority of our legislature will be found, at this crisis, Union-loving, and resolved to stand by the “Stars and Stripes” to the last. But I do not know what appliances may be resorted to.

Our governor, in a recent letter to the Alabama commissioner, avows himself favorable to a Southern convention. I cannot go for this, viewing it as sectional.

There is also much mooted a call for a convention of the people of Kentucky. Under the present excited state of the public mind, I do not view this as either wise or proper.

I should be pleased to hear your opinion on these two points, viz., a Southern convention and a State convention.

For God's sake, and for the sake of humanity, persevere in the noble efforts at conciliation.

Can it be possible that this Union is to be destroyed by demagogues and political empirics? Forbid it every consideration of patriotism and humanity.

Yours sincerely,  
THOMAS H. CLAY.

Hon. J. J. CRITTENDEN.

P.S.—I am afraid that our friend, Governor Letcher, is near the time of his departure from among us, as I have received on yesterday a letter to that effect.

T. H. C.

(Robert Anderson to J. J. Crittenden.)

FORT SUMTER, S. C.,  
January 12, 1861.

Hon. J. J. CRITTENDEN, U. S. Senator.

MY DEAR SIR,—My friend, Robert Gourdin, Esq., of Charleston, South Carolina, will, I hope, start as soon as practicable to Washington on a mission of peace. God grant that the shedding of blood may be avoided. I am doing, and shall continue to do, all that honor will permit to keep the peace here.

I need not appeal to you to exert your influence towards the same result, as I know that no one would be firmer or more resolute in maintaining peaceful relations with our sister States than yourself.

My brother will see you with Mr. Gourdin; and it will give

me great pleasure to learn that you have all worked together in so good a cause.

God save our poor Union from fratricidal strife.

Your friend,

ROBERT ANDERSON.

(In Senate, January 16th, 1861. Slavery Question. Amendments to Constitution.)

Mr. Crittenden.—Mr. President, the resolutions which I offered provided no mode pointed out in the Constitution to let the people vote in each State for or against these amendments; but the senator from Pennsylvania (Mr. Bigler) has been so good as to introduce a bill here prescribing the manner in which the vote shall be taken,—as it was taken at the presidential election, and by the same officers.

Mr. Simmons.—Mr. President, I think I shall not utter a sentiment in which the senator from Kentucky will not agree. If I do, I will take it back immediately. He and I have lived too long together for me to say anything disrespectful to him. I never had any uneasiness in reference to him but about one thing, and that was about my children.

I was not afraid that they would love him any better than I did, but I *was* afraid that they would love him better than they did me [laughter], and that is really the case with all Rhode Island.

There is no Prince of Wales, or his mother, or any other crowned head of Europe, that Rhode Islanders would travel so far to see as they would to see the senator from Kentucky (J. J. Crittenden). This is so now, and it has been the case for a quarter of a century.

(Horatio Seymour to J. J. Crittenden.)

BUFFALO, N. Y., January 18, 1861.

Hon. J. J. CRITTENDEN.

DEAR SIR,—Though I have not the pleasure of a personal acquaintance, I am, in common with thousands of your countrymen, an admiring observer of your patriotic and Herculean efforts to rescue our beloved nation from threatened destruction. I trust I will be pardoned for presuming to address you.

I am satisfied that your great measure of reconciliation strikes the *popular heart*.

But I mainly wished to say, that the proposition of Hon. Mr. Bigler, to have what I suppose your bill (with some unimportant modification) *submitted to the people*, is here regarded vastly important. Could that be effected, all would be well. The Republican leaders at Washington, with their present surroundings, and the influences of an incoming administration,



entirely lack courage. But could the people have an opportunity to speak on this subject, those gentlemen would hear a voice which would not be misunderstood. I feel perfect confidence that New York would give one hundred and fifty thousand majority for this measure.

You, of course, understand that thousands and thousands voted for the Lincoln ticket, *in this State*, who had no partiality for, or confidence in, Republican doctrines. They, however, judged that success of the Union ticket here would, at best, throw the election into the House, and possibly result, after bitter animosity, finally in the selection of Mr. Lane by the Senate.

From their point of observation this large class regarded the evils of Republicanism more tolerable than those of Yanceyism,—the election by the people of a candidate they did not approve, less disastrous than a long, embittered, congressional contest.

This fact, together with the immense change in public sentiment since election, render it, to my mind, a moral certainty that a *popular vote* would insure the triumphant adoption of your proposition.

Besides, I have some hope that Republican Congressmen who, from various motives, dislike to *vote directly* in favor of the measure, may yet be quite willing to throw upon the *people* the responsibility, and be guided by such decision.

And should the Northern vote (which is not among the possibilities) reject so fair a compromise, then the entire Middle States, whose sentiments you so nobly vindicate, would be amply justified, before the world and posterity, in casting their lot with their more Southern brethren. In such event, too, the line of duty and action for Northern conservative men would be more clear and defined. Give the people once a chance *to vote* on that bill, however, and that contingency will never occur. Their decided approval will forever end this miserable agitation.

Excuse this lengthy epistle, and God grant there yet may be sufficient sense in the halls of Congress to sustain your just recommendations.

With great respect, I am yours,  
HORATIO SEYMOUR.

(In Senate, January 18th, 1861. Constitutional Conventions.)

Mr. Green, of Missouri, introduced the following resolution:

*Resolved*, That for the purpose of protecting the rights of all the people and of all the States, so far as devolves upon federal authority, and to maintain the Union in its purity and excellence, or, failing in that, to provide for peaceable separation, it

be and hereby is recommended to the several States to take immediate steps, by convention or otherwise, and make such propositions to the several States, each to the other, or by the conventions of States, as may best conduce to the restoration of harmony consistent with the principles of justice and equality to all.

Mr. Crittenden.—Mr. President, I wish to say a word in reference to the resolution, *not* to debate it, but to signify to the honorable gentleman from Missouri that I feel myself a little constrained in respect to this resolution. I would gladly perform towards him and towards every other of my brother senators any kindly act of courtesy, but I cannot vote for a resolution, in any form, to make preparation for the separation of the States of this Union. I will not anticipate such a contingency. I will not seem to recognize the probability, even the possibility, of such an event. I will not vote even in this indirect manner for a proposition that implies its possible dissolution, much less makes provisions for it. For this reason, and this only, I shall vote against referring the resolution to a committee of inquiry. I hope the Senate will consider gravely. Are we here already to assume the dissolution of the Union, and to provide for the wreck? Is the Senate of the United States to be employed in that manner, presupposing, implying, granting, in the face of the whole world, that the imminence is such, the probability of danger such, that we are called upon, not in our capacity as senators, for as such we have nothing to do with it, but as men exercising, however, an official authority to provide for the destruction of that very Union that we are sent here and sworn to maintain? I can, I will, give no such vote, sir.

(In Senate, January 21st, 1861. Slavery Question.)

Mr. Crittenden.—What is the question?

Mr. Polk in the chair.—The question is that the subject be postponed till Wednesday at half-past twelve.

Mr. Crittenden.—And the reason assigned is that the Pacific Railroad bill is set for to-morrow. Sir, I do not intend to continue this debate. The question is probably in the hands of the friends who sit on my left [alluding to the Republican senators]. Shall this great subject be postponed and a railroad bill be preferred? Do you intend, gentlemen, do you desire—I am sure you do not—to manifest to the country your indifference to the great question of our national difficulties? Is it indifference to the Union? This is the question. You must decide it. I am content to see questions of this sort in your hands, to be decided by you. Notwithstanding all the votes which have been given, I have confidence in you. I think *I* can answer

the question of my honorable friend from Virginia, when he asks, Who is here for the Union? I hope we who are now here, every one of us, will continue to the end of the session, and that in the mean time we shall re-establish the bonds of national and fraternal brotherhood. I hope we shall see those who have gone out of this chamber return, and rejoicing in that reunion which is to take place. This must be done by some action in Congress, to satisfy (it may be) the susceptibilities or the apprehensions or claims of those who are gone. I think it will cost nothing to grant this. I think it will be granted, notwithstanding all the inauspicious appearances now presented. I believe we will come together in peace and brotherhood as heretofore. I hope the motion to postpone will not prevail. It may be of but little significance, but it will harden the public feeling North and South to see this treatment of this great subject. Let us arrive at some decision; and God grant that it may be conciliatory and compromising.

(In Senate, January 23d, 1861: Postponing the Joint Resolutions of Senator Crittenden.)

Mr. Crittenden.—I hope this will not be postponed. The gentleman from Pennsylvania has perhaps given good reason why his bill ought to be taken up; but he has given no reason why these resolutions ought to be postponed. I think he can hardly contend that the subject to which the bill relates is of more importance than that to which the resolutions relate. There is no reason—there can be none—for postponing them for any business of the Senate. He proposes the tariff. Well, sir, it is a melancholy question to ask, but we are compelled to ask it,—To what part of the United States would this tariff apply? What ports? What harbors? These are important questions, sir. Let us settle the questions relating to the stability of the Union, and then adopt a policy on the tariff.

Mr. President, I think that the resolutions I had the honor to submit, considering the subject to which they refer and the condition of the country, are entitled, before all other subjects, to the consideration of the Senate. I do not wish to be importunate about this matter. I feel it my duty to be urgent, and feeling thus, I often, no doubt, make myself disagreeable to gentlemen who have favorite measures to propose by continually asking for the consideration of this subject. I do this as a duty. While I am up, sir, I desire to say another word. On a former day, in the Senate, while we were in secret or executive session, I made some remarks on subjects then before the Senate. This was in secret session. I understand that something purporting to be a speech of mine, delivered on that occasion, was pub-

lished a day or two afterwards. I do not know that any one would be so fairly an object of suspicion as I myself. It might be thought that I connived at, or authorized, or assisted its publication. I cannot think that any of my brother senators would suspect that I had any agency in this publication. I take this occasion, and I feel it to be a duty to myself, to say that I not only had no agency in it, but I consider it a violation of the rules of the Senate, and the publication should be looked upon as spurious. I have not seen it; I have not read it; and never intend to read it; nor willingly to hear a repetition of its contents. I gave no countenance to anything published in this way, in violation of all rule. I disavow it. It is made by no authority entitled to credit or belief.

I have heard casually that I am represented as having, in that speech, advocated strongly, indeed fiercely, the policy of *coercion* in respect to the seceding States. Mr. President, I did no such thing,—and you know it. I did say that in my judgment the Congress of the United States had the power, but the exercise of it was always a question of *expediency*, and that there might be cases to which that power was plainly applicable, and where it ought to be exercised,—no one can be at a loss to imagine such cases, arising in either States or Territories. If the District of Columbia was to undertake to secede, and give us notice that, having resumed her ancient sovereignty, she desired us to abandon the Capitol, does any man suppose that the government would acquiesce in such a proceeding? or if persisted in, would not employ force to put it down? Certainly not. I expressly said that *now* was not the occasion for the application of any doctrine of *coercion*, but by some strange misunderstanding I am represented as a determined and fierce advocate of coercion upon the seceding States.

I said the direct contrary.

(In Senate, January 30th, 1861. Beauchamp and Townsend.)

Mr. Crittenden.—Now, if gentlemen have made their private arrangements, I wish to make a few remarks,—they shall be *few*. I wish to say a word or two in reply to my friend from Illinois. There never was a case for charity or benevolence or softening the rigor of justice that did not admit of exactly the argument which my friend from Illinois has made here.

General principles and theories will cut down all this beneficence on the part of society or on the part of legislation. The general theory upon which the general rule is made is, of course, sustained theoretically upon all these grounds.

The application for particular redress, or for particular indulgence, is founded upon the circumstances of the case. It is

easy to say, "If you grant the request here, you may set aside all your laws upon the subject." There is no soundness in the argument. Now, sir, here is an old man. I know him. An honest, worthy, plain, old farmer, whose experience in the world has been pretty much limited to his few acres of ground and their cultivation. A son of his is unfortunately betrayed into a crime. The father, swayed by natural affection, governing above and beyond all reason, becomes his son's bail. The son absconds. My friend says, "Let the penalty of the government be exacted." If you exact it, as the petition shows, besides the mortification that has visited the honest household of the old man for the crime of the son, his wife, and other children are turned out-of-doors, and he is reduced to poverty. Sir, what father, under the circumstances, could do otherwise? Nature herself betrays him into it. The criminality of the son renders the penalty doubly severe. Will you not rather suffer this petty offense to go unpunished, so far as regards this honest old man, than that he should be entirely and utterly ruined? This is the question. Let the Senate decide.

Mr. Clark.—Will the honorable senator from Kentucky allow me to ask whether the court had any power over this bailbond to relieve it?

Mr. Crittenden.—No, sir. The court had no power, and the President had no power. I was privy to the old man's journey all the way to this city. He came, during this inclement winter, from the uttermost part of Kentucky to apply to the President of the United States for mercy,—he made his appeal to him. I can tell the gentleman the court had no power; and the President declined to interfere because he was informed by the Attorney-General that he had no power in the case. For these reasons the subject is brought before you. Let the Senate decide.

(In Senate, February 9th, 1861. Proceedings of Meetings, Conventions, etc.)

Mr. Crittenden.—Mr. President, I desire, as the question has been for some time pending before the Senate upon the petition I presented, that it may be allowed now to supersede the present question and be decided. I am clearly of the opinion that wherever such papers are directly or indirectly, by plain intention if not by word, intended to be addressed to the Senate, they come within that provision of the Constitution which allows petitions, and which declares that no law shall be passed to abridge the right of petition. This is a plain highway, not to be contracted by hedges and fences or technical forms. Sir, the people may come in any form they choose; they are not very stylish people. Many of our constituents are not versed in

the ceremonies and forms and etiquettes by which great bodies are to be approached; but they have a right to express their free will on these subjects in whatever language they may choose. I am glad that the yeas and nays are called for. It is a question of general importance; I can scarcely imagine a more important one. When their government is tottering to its fall, when not only government but society is in danger of subversion, when peace is not only in danger but war stands frowning and confronting us, shall the people be restrained as to any form in which they may express themselves, begging to be rescued from these imminent perils? No, sir; the people are using their privilege—most patriotically are they using it. Morning after morning is consumed in the presentation of their petitions. They have a deep interest in this subject; they feel its importance, and they have a right to make their thoughts and feelings known without trammel or restraint. I vote for receiving their resolutions.

(In Senate, February 12th, 1861. State of the Union.)

Mr. Crittenden, on the 12th of February, 1861, asked leave to present a petition from the people of Massachusetts, praying the Senate and House of Representatives to make a settlement upon the basis of the Crittenden resolutions. He said he was cheered by such a voice coming from Massachusetts in favor of the Union; they had had more than fourteen thousand petitioners from the city of Boston.

Mr. Sumner rose and moved that the petition be printed; said that he understood that the petitioners asked the adoption of what was familiarly known as the Crittenden propositions, and that their best apology for this petition was their ignorance of the character of the propositions.

Mr. Crittenden said in reply that it would be a little ungracious in him to step between the honorable senator and his constituents who had sent the petition. He was surprised to hear the senator, who was, no doubt, well acquainted with his constituents, charge them with ignorance. It was claimed that Massachusetts took a parental care of her people, and that they were more enlightened than the population of any other State. Mr. Crittenden thought that every senator was bound to contribute as far as he could to the settlement of our great national troubles, and if the propositions he had offered were not adequate, why had the honorable senator sat there from month to month and proposed no amendment to propositions which he condemned his constituents for approving? Why did he *sit silent* and *sullen* here for a month or more with a breast full of resentment? [Applause in the galleries.] The senator says

"we want a guarantee for slavery." Sir, the gentleman only half speaks the truth; he states this as though we had risen up here in time of peace to ask an alteration of the Constitution for the purpose of extending slavery. This is not the case.

Mr. Crittenden then turned to the Republican senators: Your platform, gentlemen, is a little thing of but a hand's breadth, manufactured by a few politicians. You are governing a great nation. Are you to look to the platform or to the nation? You are pledged to preserve the Union of this country. Devotion to the Union was assumed by you as the peculiar duty of your party. That is forgotten. When you cannot preserve every little peculiarity of doctrine (not belonging to the Constitution) which you entertain, you let the Union go. You call this a compromise, and then make war upon the word you use. I am an advocate of the Union. I do not hate the North. I love the South. Why is it that gentlemen are impatient when anything is said with regard to the preservation of the Union? We know that resolution has already dismembered the land.

Mr. Sumner rose and said he wished to make two remarks in reply to Mr. C.: The Senator from Kentucky is not aware of his own popularity in Massachusetts—of the extent to which his name is authority there, and of the willingness of the people to adopt anything that bears his name; he is not aware how easily the people of Massachusetts may be *seduced* to adopt any proposition of his. If they examined the proposition, they would reject it. Another point: If I understand the senator, he intimated that his propositions, at least in his own mind, were not applicable to territory *hereafter acquired*.

Mr. Crittenden.—No; I do not mean to be understood as saying that I said *that proposition* was not an *essential part* of mine. If I found it unacceptable, I would not insist upon it; it should not be an obstacle to adjustment. I would strike it out if necessary. I did, upon the motion of my colleague, vote for his amendment, and would be *content with it*, but subsequent reflections and the objections made to it have satisfied me that I ought not to adhere to it if it would become an obstacle and prevent the passage of the resolutions.

(A. T. Burnley to J. J. Crittenden.)

FRANKFORT, February 12, 1861.

MY DEAR MR. CRITTENDEN,—By reference to the proceedings of our legislature, just adjourned, you will see that they have done nothing to compromise the proud position which, much under your advice, Kentucky has assumed in the present perilous condition of the country.

Impressed with the importance of the services you have already rendered to the country, and deeply regretting the fact that your official connection with the federal government is so soon to terminate, a general and a strong desire that your services may still be secured to save the imperiled Union, led to the introduction of a resolution in the Senate, requesting you to remain in Washington, or to visit other States, where you think you can be of any service to the great cause, as long as you may think you can do any good. These resolutions passed the Senate by a majority of twenty-eight to six, but unfortunately reached the House on the last day of the session, when it required a majority of two-thirds to suspend the rules and take them up. Consequently, a few malcontents, and a few others who would not have dared, upon a direct vote on the resolutions, to vote against them, voted against suspending the rules, and thus prevented a vote upon the resolutions. In that vote there was a majority of six in favor of the suspension; and thus you are virtually, though not officially, requested to remain, and do what you can for the country as long as you think you can do any good. My opinion is that, under the circumstances, you ought to consider yourself virtually requested by the legislature to remain in the service of the State to the last minute you think you can do any good; and such is the opinion of all your friends with whom I have conversed. I wish, therefore, that you will reply to this letter (or perhaps it would be better to address it to a more known and prominent man than myself), stating your observance of what the legislature has done, and your determination, regardless of your own convenience, to stand by the country and struggle for its integrity and unity as long as there is the least hope for its preservation, with authority to publish your letter. Since the death of our old friends, Carnel and Letcher, I never wanted to see you at home as much in my life; but I am willing never to see you in this world again if you can save the Union, which I sincerely believe you have more power to do than any hundred in the United States. My kindest regards to Mrs. Crittenden, and I beg you to believe me always

To J. J. CRITTENDEN.

Your devoted friend,  
A. T. BURNLEY.



## CHAPTER XV.

1861.

Invitation from the Board of Aldermen of Boston to visit that City—Thanks of the People of Virginia for his efforts to bring about an Honorable Peace—Invitation to Philadelphia, and Approval of the Compromise Measures proposed by Mr. Crittenden — House Resolutions, March 2, State of the Union — House Resolutions, Credentials of J. C. Breckenridge—Joint Resolution, Mr. Crittenden's Last Speech, and Farewell to the Senate.

(George T. Curtis to J. J. Crittenden.)

BOSTON, February 12, 1861.

MY DEAR SIR,—The Board of Aldermen of this city unanimously adopted a resolution, yesterday, inviting you to visit Boston, after the adjournment of Congress, as the *guest of the city*. It will pass the Common Council on Thursday evening, and the mayor will communicate it to you immediately. I hope you will accept the invitation, and give our people an opportunity to thank you for your public services.

We shall do this thing handsomely, if you will let us. Don't refuse.

Your visit will do good here and elsewhere.

With kindest regards to Mrs. Crittenden, always faithfully your friend,

GEORGE T. CURTIS.

Hon. J. J. CRITTENDEN.

(In Convention, March 11th, 1861.)

*Resolved*, That the thanks of the people of Virginia be, and they are hereby, most cordially tendered to the Hon. J. J. Crittenden, for his recent able, zealous, and patriotic efforts in the Senate of the United States to bring about an honorable adjustment of our national difficulties.

A true copy.

JNO. L. EUBANK, Secretary.

(Josiah Randall and others to J. J. Crittenden.)

PHILADELPHIA, January 12, 1861.

DEAR SIR,—A mass-meeting of the Democratic citizens of Philadelphia has been called for Wednesday evening next, the

16th inst., at seven and a half o'clock, at National Hall. The call embraces within its terms all those who may be desirous of co-operating with them at this time. The object of the meeting is to give expression to our sense of the wickedness and folly of any endeavor to maintain the union of the States by force, and to express our approval of the compromise measures proposed by Mr. Crittenden in the Senate of the United States. We have been instructed to extend to you an invitation to be present and address our citizens upon this occasion. We hope that you will comply with this request.

We remain, with respect, your friends and fellow-citizens,

JOSIAH RANDALL,  
VINCENT L. BRADFORD,  
SAMUEL MEGARGEE,  
ROBERT V. KANE,  
A. C. CETTI,  
JOHN SAMUEL.

To Hon. J. J. CRITTENDEN,  
U. S. Senate, D. C.

(Edward Everett to J. J. Crittenden.)

BOSTON, February 16, 1861.

MY DEAR SIR,—I promised our worthy mayor that I would write you a line, urgently requesting you to accept the invitation extended to you, and to Mrs. Crittenden, to visit Boston after the adjournment. You will receive a most cordial welcome, public and private, and confer the greatest obligation upon our political friends, who are extremely desirous to greet you. As soon as I heard that such an invitation was contemplated, I told the mayor I should claim Mrs. Crittenden and yourself as my guests. This he will not hear of; but insists that you shall be entertained at one of the great hotels as the city's guests. If, after your public visit is over, Mrs. C. and yourself would secede from the hotel, and pass a few days more privately with me, I should deem it a great favor.

I remain, dear sir, with great regard, sincerely yours,

EDWARD EVERETT.

Hon. J. J. CRITTENDEN.

On the 1st of March, 1861, the propositions of the Peace Congress or Convention were before the Senate. The majority of the Senate was opposed to any compromise, and one subterfuge and another was used to annul the convention and discredit their proceedings. Mr. Hunter declared that the propositions had been voted upon in the convention, section by section, and not as a whole, and he made a proposition to

amend by inserting the resolutions of Mr. Crittenden, upon which many of the border States had said they were willing to settle. Mr. Crittenden said the Peace Congress had made known the result of their deliberations and their will through their president and secretary. Their resolutions had the sanction of the majority of the convention. He said he would not stop to inquire whether he liked the resolutions better than those proposed by himself, or the amendments offered by the senator from Virginia. He declared he was for peace and for compromise; that he had not an opinion on the subject that he would not be perfectly willing to sacrifice to obtain any reasonable measure of pacification that would satisfy the majority. He felt no selfish attachment to any of his opinions. "Senator Hunter offers my own propositions as an amendment to this. I shall vote against my own propositions!" At this moment there was loud applause in the galleries, and Mr. Mason said he would be constrained to require that the galleries should be cleared. Mr. Baker hoped the galleries *would not* be cleared; that the admiration of a noble sentiment was never out of place. Mr. Crittenden declared he would vote for the amendments proposed by the convention,—they came from an authority much higher than himself, from a hundred and thirty of the most eminent men of the country. He thought no senator should compare the little atom of his production with the great end and object proposed to be attained for the nation. Mr. Crittenden's settled policy was to have no *more territory*. He believed the magnitude of the territory we had already acquired was our great trouble,—he wished to beware of national aggrandizement. These resolutions he thought sufficient for the dreadful occasion. If we could be free from this, he was willing to meet the perils of every day as it came. He said he had no hope for his own propositions; they had not secured the favor of his colleagues from the North, and their sanction was necessary to give them effect. All his hopes of peace were now fixed upon the terms proposed by the convention.

After a long and exciting debate, Mr. Crittenden expressed his conviction that the propositions of the Peace Convention could not be passed. Gentlemen were very zealous in keeping up these propositions merely to strike a blow at others; pre-

tending to favor a thing they meant to *trample upon*. In his opinion, the best way of manifesting their respect for the propositions was to vote for them.

It was Saturday night, and the session drawing to a close. Mr. Crittenden proposed that the Senate should adjourn to meet on Sunday at eleven o'clock. Mr. Bright approved this, and said it had been done before. Several senators objected. Mr. Crittenden thought it was necessary; that if we might help an ox out of the pit on Sunday, we might surely try to help a nation out of its difficulties. He thought he had a proper idea of the uses to which the Sabbath-day should be applied; it was the last day of the session and might be the last of the Union.

Mr. King said, "The Sabbath-day is no day in law for business, and I hope the Senate will not proceed in open violation of the Sabbath."

Mr. Crittenden.—The meaning of all this is that the Senate shall not have the responsibility of voting on the House resolution. There are many senators here who voted to-day for the second reading of the resolution, and many senators who are here now have made it necessary to sit to-morrow. They have erected a perfect security to themselves against being called upon to take the responsibility of voting on it. That is the meaning of it. Violate the Sabbath! You are keeping the Sabbath holy,—holier than you have ever kept any day in the week by serving your country on that day, endeavoring to save it from bloodshed and ruin! This is the question! Will you keep a nominal observance of the Sabbath which may produce such results?

(In Senate, March 2d, 1861. State of the Union.)

Mr. Crittenden.—Mr. President, I shall pursue, on this occasion, the course I have pursued throughout. My object is to attain a great end, and, if possible, to give entire satisfaction to the country, and restore it to peace and quiet, or to go as far in that direction as it is in my power to go. I shall vote to take up the resolution of the House, because we can act upon it immediately. I am an advocate of the resolutions from the Peace Conference. I have shown it. I have expressed my determination to vote for them, and I will do so; but I confess that I feel somewhat as the gentleman from Illinois does, surprised at the great zeal with which gentlemen want to keep up these propositions, merely to strike a blow at others, claiming a precedence for a thing they mean to trample upon. Sir, the way to mani-

fest respect for their proposition is to vote for it. I do not *understand* this sort of proceeding on the part of gentlemen who desire to afford any means of pacification to the country. I am for the resolution of the House, and I hope the Senate will vote upon it. We can act upon it, we can vote upon it, and we know well that we cannot pass the propositions of the "Peace Conference." There are but two hours more of session in the other House, from ten to twelve o'clock, on Monday morning. I cannot indulge in a hope, sanguine as I have been throughout, of the passage of these resolutions; and indeed the opposition here and the opposition on the Democratic side of the chamber to these resolutions, are confirmation strong as proofs of holy writ that they cannot pass. Do gentlemen want to press them forward in order to prevent a vote on this resolution of the House? I hope not. I hope the motion of the gentleman from Illinois will prevail, and that we shall take up the House resolutions.

The secretary now read the resolution, as follows :

*Resolved*, That the following article be read to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid, to all intents and purposes, as part of the said Constitution, namely, Article XIII. No amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish or interfere within any State with the domestic institutions thereof, including that of persons held to labor or service by the laws of such State.

Mr. Pugh.—I think it was De Quincy who said, that next to the duty which a man owes to God, and his country, and his family, it was his duty to preserve the purity of his mother-tongue. The Constitution of the United States is written in excellent English, but if this amendment be expressed in the English language, or by any rule of grammar, I do not understand it. If any senator can reconcile it by any rule, I shall be happy to hear it; but I do not wish to set an example to our children of putting into the fundamental rule and organization of government such a shocking example as the House of Representatives has now sent us. I move to strike out the words "authorize or;" that, at least, will make it English.

Mr. Douglas.—Mr. President, I will only say, I hope no *amendment* will be made. The resolution is clear and specific. No one can fail to understand it. An amendment sends it back to the House, and defeats the measure. I hope all who are in favor of the proposition will refuse to amend it.

Mr. Crittenden.—Mr. President, I can bear with bad English

when it expresses a good thing. I prefer bad English expressing a good thing to good English expressing a bad thing. I am content to take it as it is, and I hope my friend from Ohio will be reconciled to it. But why shall we put this resolution at hazard by an amendment to correct some misprision in language? It is but an awkward and bad expression. Its offense is not that it is false grammar; in my opinion it is only an ungraceful expression. It is as much as to say that no future amendment shall authorize Congress, or give power to Congress, to do so and so. My friend from Ohio is mistaken in saying that this is of no consequence. It is true it does not cover the whole ground, but it covers a part of it, particularly in the present condition of our country. There are seven out of the fifteen slaveholding States that we may consider as seceding. This leaves but eight in the Union, so that already the *non*-slaveholding States have a two-thirds majority. With this great majority the slaveholding States have increased apprehensions; they only ask, for their satisfaction, an increased security exactly proportioned to their altered condition in the Union. It seems to me this will be manifesting some sort of disposition to satisfy and content them, and in that view I hope it will be adopted. But, unless some gentleman will change his vote, the question is decided. On a mere question of grammar and correction of language, we put this joint resolution at hazard. I move that the vote adopting the amendment be reconsidered.

(In Senate, March 2d, 1861. House Resolution proposing Amendments to the Constitution.)

Mr. Crittenden.—Mr. President, the debate has been of a character so discursive that the Senate will scarcely recollect the question that is now before them. The original subject of debate was the resolution from the House of Representatives proposing an amendment to the Constitution, the effect of which is to render the Constitution unchangeable in its negation of power to this government to interfere with slavery in the States. That far it is an additional security. If the present border States are to remain a portion of the Union, they will be but as eight to perhaps twenty-five in a very short time. Is it not manifest to gentlemen that the altered condition of things would require some additional guarantees for the security of their property,—this peculiar and special property,—the object of such dislike and opposition to our fellow-citizens of the North? Why should we reject it? It does not give all the satisfaction we desire; it is a remedy entirely inadequate to the whole cause of complaint; but it removes our apprehension of portions of our people. Why reject it? I apprehend you can

have no objection to granting this, as you continually announce here that it is exactly in accordance with your feelings and purposes. But some gentlemen say "they will give no bonds for their good behavior." How inappropriate is this language to the argument! They would have us go upon the principle of confidence altogether. If so, let us throw aside all constitutions. What are they made for? Are they not mutual bonds between different portions of the country? This is no otherwise a bond than every other provision of the Constitution is a bond. All gentlemen profess not only to regard but to reverence that bond as sacred, to be held inviolable; and yet, when an altered condition of things manifestly requires, when logical conclusions from its own principles would lead to the extension of the security given in the Constitution itself, gentlemen say that they will bind themselves to no bonds for good behavior. Senators, I leave you to judge how far *that* is an answer to be accepted. I am sure the Senate of the United States will not give this answer to such a proposition. I have intended and desired to make a few remarks on this subject, but at this late hour I hate to practice such an imposition upon the Senate.

Mr. Bigler.—Let us have them. I hope the senator will go on.

Mr. Crittenden.—I do not know if we are to sit here all night, or to adjourn for an evening session to-morrow night; if so, I would rather postpone these remarks until to-morrow; but it is of little consequence and importance as to the remarks I wish to make. They are the *last I ever expect to address to the Senate of the United States*.

(In Senate, March 2d, 1861. Credentials of J. C. Breckenridge. Joint Resolutions.)

Mr. Crittenden.—Before I proceed, I desire to present to the Senate the official evidence of the election of Hon. John C. Breckenridge, now Vice-President of the United States, as a Senator elect to the United States Senate from the State of Kentucky, as my successor. He succeeds to a post of great difficulty and high duties. I have no doubt that he will, and I hope he may, occupy the seat much more successfully than I have done for the good of our common country.

The credentials were read, and ordered to be filed.

The presiding officer.—The joint resolution to amend the Constitution of the United States is before the Senate as in committee of the whole.

(Mr. Crittenden's Farewell to the Senate.)

Mr. Crittenden.—Mr. President, I have not risen with any vain ambition or purpose to play the orator. I have no set speech to make. The subject upon which I wish to address the Senate is altogether too solemn, and too interesting to the country, to be made the occasion for declamation. I do not aim at it. I am a plain man, and wish to speak plainly what I think and believe on this great subject, and I wish to do this with as much brevity as possible.

Nothing is more strange than the great and deplorable change which has taken place in the United States within a few months. A short time since, we were a united and happy people. Occasionally a spirit of discontent was heard to manifest itself in different sections of the country, but we hoped that these agitations would subside, when the great controversy then on hand had passed away. How different has been the result! In these few fatal months we have seen *six*, I may say *seven*, *States* go out of this Union, and dissolve, as far as they could do so, their constitutional connection with us. Our Union is dismembered. The spirit which produced this fearful result is now making its dangerous progress throughout the country, endangering the stability of other States and their adherence to the Union.

Mr. President, it is an admitted fact that our Union, to some extent, has already been dismembered; and that further dismemberment is impending and threatened. It is a fact that the country is in danger. This is admitted on all hands. It is our duty, if we can, to provide a remedy for this. We are, under the Constitution and by the election of the people, the great guardians, as well as the administrators, of this government. To our wisdom they have trusted this great chart. Remedies have been proposed; resolutions have been offered, proposing for adoption measures which it was thought would satisfy the country, and preserve as much of the Union as remained to us at least, if they were not enough at once to recall the seceding States to the Union. We have passed none of these measures. The differences of opinion among senators have been such that we have not been able to concur in any of the measures which have been proposed, even by bare majorities, much less by that two-thirds majority which is necessary to carry into effect some of the pacific measures which have been proposed. We are about to adjourn. We have done nothing. Even the Senate of the United States, beholding this great ruin around them, beholding dismemberment and revolution going on, and civil war threatened as the result, have been able to do nothing; we have done absolutely nothing. Sir, is not this a remarkable spectacle? How does it happen that not even a bare majority



here, when the country trusted to our hands is going to ruin, have been competent to devise any measure of public safety? How does it happen that we have not had unanimity enough to agree on any measure of that kind? Can we account for it to ourselves, gentlemen? We see the danger; we acknowledge our duty; and yet, with all this before us, we are acknowledging before the world that we can do nothing; acknowledging before the world, or appearing to all the world, as men who do nothing.

Sir, this will make a strange record in the history of governments and in the history of the world. Some are for coercion; yet no army has been raised, no navy has been equipped. Some are for pacification; yet they have been able to do nothing; the dissent of their colleagues prevents them; and here we are in the midst of a falling country, in the midst of a falling state, presenting to the eyes of the world the saddest spectacle it ever has seen. Cato is represented by Addison as a worthy spectacle, "a great man falling with a falling state;" but he fell struggling. We fall with the ignominy on our heads of doing nothing, like the man who stands by and sees his house in flames, and says to himself, "Perhaps the fire will stop before it consumes all."

Mr. President, I impute no exclusive patriotism to one side or the other; but I am sure, that on neither side can there be a single senator who is satisfied with this condition of things. I have had the honor, among others, of feeling it to be my duty to offer propositions of this character,—others have done so. Honorable friends here have made various propositions. My friend who represents the great State of Pennsylvania—the honorable senator who sits before me [Mr. Bigler]—has been among the foremost. The senator from Tennessee [Mr. Johnson] has offered propositions. There has been no want of propositions; and with perseverance and zeal these resolutions have been pressed from time to time, and day to day, with fruitless exertion to obtain, if possible, some system of saving policy out of them or under them. I shall never forget the zeal and the industry with which my honorable and honored friend from Pennsylvania has acted in this great matter. With a zeal untiring and a hope inextinguishable, he has toiled on from day to day with a labor that no other one scarcely could have borne. Yet nothing has come out of all this. Nay, sir, the policy of attempting to make peace, the policy of attempting to offer propositions for reconciliation, has been denounced by a senator from Massachusetts as the most fatal policy that could be pursued. I, for performing the simple act of duty which I have done, have been described as acting here as if I had been commissioned to make peace. Sir, have I assumed any such thing?

Have I done more than other senators have done, more than other senators ought to have done, in attempting, as far as their judgment enabled them to do, to suggest measures which might save the country and put a stop to the great evil which was overthrowing it in every direction? What right had the gentleman to say that I have assumed to come forward as though I had been commissioned? He says also that he does not know whether this is a task which I have voluntarily undertaken, or which has been imposed upon me by others. Sir, I am unable to understand what the senator means by this. I will not suppose that the gentleman had any serious intention of casting any taunt upon me, much less of intimating anything of a dishonorable or improper character. Who does he think could impose a task on me? What part of my life, what part of my action, has shown that I was a man upon whom others could impose a task? What the gentleman means I do not know. I will consider it all as unmeaning personality, and pass it by.

But, sir, the other question involves something of more concern. Propositions which I have offered, he says, are founded on a policy most fatal to this country. What does the honorable senator mean by this? That nothing ought to have even been attempted? If anything else in place of it would have been proper policy, I should be glad that the gentleman were here to state what that other policy was. It must be to do something, or to do nothing. Few will say we ought to have sat here and witnessed this ruin and witnessed this revolution, and done nothing; that we, the senators of the people, we, the guardians of the Constitution, are to see that Constitution overthrown, and that country that had confided in us brought to ruin, to misery, and to dismemberment, and have done nothing. If the gentleman would do something, what is that something that should be done? Mind, to attempt to make peace by these resolutions is a fatal policy. What good policy, what saving and beneficial policy, would he have us adopt? He has not explained, and I shall not think it necessary to trouble myself further with this part of the subject.

Mr. President, the cause of this great discontent in the country, the cause of the evils which we now suffer and which we now fear, originates chiefly from questions growing out of the respective territorial rights of the different States and the unfortunate subject of slavery. I have said before to my brother senators that I do not appear on this occasion as the advocate of slavery; I appear here as the advocate of Union. I want to preserve that from overthrow; and I am suggesting that policy which, according to my poor judgment, is adequate to the object.

What is the great question out of which this mighty mischief has grown? What is this question about territory? Practically, it is reduced to a very small matter. We have passed through many of these territorial difficulties; we have now arrived at the very last one of them. Neither the climate nor the wishes of any portion of this Union have induced the people anywhere to desire really to extend slavery above the line of  $36^{\circ} 30'$  north latitude. That was the line adopted in 1820 by wise men, who did it not so much with a view to equality of division as they did it with a view to strike upon that line north of which there might be no controversy, and where no such system of labor as that which required servitude could be useful. That has settled, very much, public opinion on that line with respect to the slavery question. We have now much territory north of that line; but there is no pretension to any rights there by those who hold slaves. We have, since that compromise line was first established, acquired territory south of it. That territory south of it is composed of the Territory of New Mexico, and nothing else; and there slavery now exists by law. What is the resolution that the gentleman from Minnesota [Mr. Wilkinson] read yesterday, offered, in 1850, by Mr. Clay, whom he so justly eulogized? Mr. Clay said he would not vote for any specific measure that would introduce slavery into any Territory where it did not actually exist; but to avoid the question and the controversies arising out of it here, he proposed to give to the territorial government ample power on the subject, without any restriction in regard to slavery. In the compromise of 1850 that was done; territorial governments were established, and power was given them over this subject. That was the policy and design of Congress; they wanted to keep the question out of Congress; they therefore left it to the territorial legislature, and that legislature, in conformity to the power given it, has passed a law recognizing and admitting slavery. This may have been right or wrong; I do not undertake to decide that. They acted under a discretionary power given for this very purpose. They established slavery. Its existence there, then, is just as legitimate as its existence can be anywhere by force of local law. Well, what is the question now and always? The South, having seen itself excluded, its system of labor denounced and excluded from all the other Territories of the United States, have supposed their brethren were monopolizing all this description of property,—the territorial property of the United States,—and excluding them. The States holding slaves thought they had as much right as the States that were non-slaveholding had in this common property of the Union. You deny it; you say that you will govern it by an

exclusive, a superior, a sectional power, and exclude a certain class of States who, under the Constitution of the United States, are upon an equal footing with yourselves. It makes to the North, so far as this matter goes, a monopoly of the public territory; it excludes by classes States of the Union equal in all the means of contribution by which these Territories were acquired, their blood and their money having equally gone to acquire them. One section of the Union turns around upon another after they are acquired, and says, "Though acquired as common property by common means, we do not like your system of labor, and nobody insisting upon that system of labor shall settle in the country; but those who adopt our system of labor shall go there." I am not stating this matter now for the purpose of showing that you are absolutely wrong, or that the South is absolutely right. I am stating the nature and character of the controversy.

In the course of this controversy we have come to a point where we are obliged to halt. Party must halt. The controversy has reached the vitals of our country. It is no longer a mere question of party opinions. It is no longer a question of party. It is a question of country and of Union. These points of controversy have reference practically now to no other Territory which we have except the Territory of New Mexico; and to show how infinitely small that is, there is another consideration to which I wish to advert. What are the worth and value of that Territory to white or to black? It is the most sterile region of country belonging to the United States, the least happy. It has been open to slavery for ten years, and there is a controversy, I believe, whether there are twenty-four or twenty-six or twenty-eight slaves within the whole Territory. As I believe, it can never be made a slave State. It is not a country where slaves can be profitably employed; and that great law of profit and loss governs with invariable power and invariable efficacy. Here is a mere question of abstract right, in the deprivation of which the South has supposed itself to be offended, not only in its right, but offended in its equality and in its just pride as States, a whole class of which is suffering a sort of ostracism under the operation of a policy which insists that no one shall adopt there any other system of labor than that which prevails at the North. It may be the better one; but we are all standing as equals under a common Constitution; we are not here upon the original question as to the rightfulness or wrongfulness of slavery, as to the sin of it, the propriety or advantage or disadvantage of it. We are not here upon any of these questions. Rights under the Constitution are in question, and on that question the South insist that they

have an equal right in the Territories to adopt their own system of labor in this common property, as you have to carry with you in your emigration your habits and customs and your system of labor. Which has the advantage of the other? You say that the Southern people holding slaves are very bad fellows for that reason. I shall not argue that. The good man cannot say to the bad man, who has with him purchased a tract of land and has an equal right to it, that is a reason why the good man shall take the whole, and exclude the bad man from the purchase which was made in common by common money. I make these remarks merely to show you that there must be, even in your own judgment, a plausible ground for the claim which these States of the South set up, and that they have at least a plausible subject for discontent. If it be only plausible in your view, in their view it is so just a cause of complaint that it is worth all those wretched evils to which I at first adverted. They would rather go out of the Union than occupy a place in it where they are denied equal rights in all particulars with their fellow-citizens; but they are willing to do, for the sake of peace, what we have done once before for the sake of the same peace, and to avert the same evils. We say now, as we cannot agree upon this subject, let us divide the territory; you go on the one side of it, and we on the other. That was the doctrine held of old. We talk a great deal here about the fathers, about their example. When this difficulty, or one very like it, occurred in 1820,—now forty years ago, and we may well rank as fathers those who were old enough to legislate in this body upon that question then,—what did they do? Did they say as we now say, “No compromise with our brethren; stick to the law; no compromise; let us take all”? No, sir, they made a compromise: you call it a compromise; let us say it is. What does it propose? To give up to you all the territory north? From what I have said before, you may well infer that, in giving that up, the South has only given up a territory where their system of labor cannot avail, cannot exist; but as to the South, it is alone one solitary Territory that we now possess, and that is a Territory where slavery does to some extent exist, where by law it is authorized; and all that we ask in respect to that is, let the condition of things as it is now in that Territory remain as it is. You have now grown greater than those who adopt this system of labor. You have grown great. You have just now triumphed in a great national controversy. The Republican party are coming into power with a President to execute their will, and with a majority here to proclaim the will of the whole nation. Now give us some security that you will

not abuse that power. History is full of examples of the abuse of power by those who have the means of executing it. Strong arms have been the law all over the world much more than written constitutions and right. It may be so in our own country. Does it express any dishonorable distrust of you, any distrust at which you ought to take any offense, real or pretended? Is it anything more than a matter of prudence that great political communities should endeavor to guard themselves against possible injustice and possible encroachment? Upon what principle is your whole Constitution made? It is made to guard your rights. Do you reproach that for its want of confidence in men? It is upon a want of confidence in men that all human law is made. With a perfect confidence in men, why are your laws made against murder, against theft, against robbery? Why do nations all over the world cry out for written constitutions? Why do they ask, give us bonds, against which the senator from Minnesota [Mr. Wilkinson], who spoke yesterday, seems to declaim so much, as if he considered them already as manacles upon his hands? Have not the people a right to suspect gentlemen who hold that sort of language of intending to abuse their power? He will not submit even to reasonable and rational securities to be given to others. He calls it tying his hands, and says that he will not submit to it.

This is a sort of argument that will satisfy no one. It cannot satisfy the honorable senator himself, I am sure, when he comes to think over the argument which he has addressed to us. Here, then, is the controversy. All we ask, all that is necessary, I believe, to settle this great mischief that is now going on in the country is, that you shall agree that in that sterile country, where there never can be any number of slaves—you being in power, you having the power to change everything, even the Constitution itself—you having all power, shall now agree with us that the state of things there shall remain as it is—until when? Forever, the gentleman says. He says it establishes it there forever. It is very easy to make speeches in this round and unmeasured sort of language. Let it remain as it is—until when? Until this Territory of more than one hundred thousand square miles—twice as large as the State of New York—shall contain in its borders a hundred thousand, or a hundred and twenty, or a hundred and thirty thousand inhabitants. Will that require all time? For that short period let things remain as they are just now, that we may not be perplexed with the fear of change from your superior power. When it does come in, as it shall do when it has one hundred and thirty thousand inhabitants, then they will be entitled, and we will give them the right to form themselves into a State and

be admitted into the Union; and when so admitted, they shall have the right to dispose of this question of slavery just as they please; only, for the sake of peace, let this question rest in silence for that short time. Give the country, who are now greatly alarmed and greatly agitated upon the subject, a little repose. Give them time for their confidence to be restored. Give them time for better feelings to take the place of the bad feelings which now prevail. Cease your action for a moment. Give to the nation breathing-time.

What else is asked? This is all; and this is refused. I say this is all; because, in respect to fugitives from bondage, there is no difficulty. That is fixed by the Constitution, and we can settle all that without any danger. What are all the other questions which affect and touch this question of involuntary servitude? They relate to the little District of Columbia, and this is the greatest spot to which they do relate. Now, as to the District of Columbia, how came that to belong to us? How came that involuntary servitude within the District of Columbia to be subject at all to our jurisdiction? By a voluntary cession from the State of Maryland. I speak only of that which we now hold; originally it was larger, and Virginia was one of the grantors. All that we now retain—having relinquished that on the other side of the Potomac—was granted to us by the State of Maryland. Do you suppose, gentlemen, that when the State of Maryland granted that, there was any thought in the mind of the grantor or grantee—of Maryland or of the general government—that any question should ever arise in respect to this slavery which then existed here by the laws of Maryland? Would not some regulation have been made in respect to it, in some way or other, as to how it should be abolished, if it should be done at all, and upon what terms done; or that it should not have been done at all? This is not good faith. No such thing being in the contemplation of the State which granted, or the States which received it, would it not be bad faith to use it for a purpose not within the intention and not contemplated and not thought of by any one of the parties to the bargain? So it would have been in respect to a private transaction, and so it ought to be regarded here. Though the exercise of such a power might not be absolutely unconstitutional by Congress, it would be an exercise of power in bad faith, and contrary to the expectations, and contrary, I may say, to the interests of the party who made it.

Now, sir, all the other places under the special jurisdiction of the United States perhaps do not amount to one hundred and fifty acres in all the Southern States. They are the places for arsenals, for navy-yards, and for dock-yards. They are the

only places which are specially subject to the jurisdiction of the United States in the States; and the proposition only provides that, in respect to those which are in the States, Congress shall pass no law hindering or abolishing slavery there. Is there anything improper in all that? Is there anything of difficulty or question about it? Surely there cannot and ought not to be.

Then I return to the original question: that which respects territory and slavery in connection with it. I have made all the remarks upon that which I intend; and my whole and sole object in those remarks is not to attempt to convince you that the South is right, but to convince you that the South has, at least, some plausible reason to be discontented with any construction which gives you the whole and takes from them all; and that from that discontent and long irritation has now grown this flame which is consuming our country, and has severed from us a valuable and important portion of it. Under these circumstances you are called upon to make this sacrifice. Let this poor sterile country of New Mexico remain as it now is in regard to this vexed question. What said Mr. Clay in the compromise of 1850, when slavery was attempted to be excluded or established in New Mexico? "No," said he, "we will not exclude it; I will not vote for any specific measure to carry it there; others may do that; the people who are to live there may do that; and I will agree to give to their territorial government a power to exclude it or a power to disallow it, as they please;" and so they did. What do I ask of you more than Mr. Clay himself did? He gave them power to establish it there. Now, in the great commotion which exists in our public affairs, when change and the fear of change perplex the whole country, I just ask, let us make one firm point here; let us agree that the state of things in this poor Territory shall remain just as it is; and then our country can be preserved. Was there ever a revolution so permitted to go on,—ever the dismemberment of a great country so allowed to take place,—ever the overthrow of a mighty nation like this allowed, in the face of the whole world, plainly and obviously in the sight of its legislature, and all allowed to go to wreck and ruin, when it could have been preserved in peace by a grant no larger than that which I have shown you? All the gentlemen from those States, I believe, with great unanimity, have said and declared that this compromise, if it could be adopted, or this measure, for I prefer to call it such, would save the secession of the States that have gone out with one single exception, perhaps. But if it be too late now to recall them at once by a mere vote of the Senate upon or for any proposition, you can at least assure the



fidelity and allegiance of other States dissatisfied from the same causes, but yet not willing to let go the banner of their country. You can satisfy and assure them; and by so doing insure their continued attachment and allegiance to the Union. There remain of these States—some of the most important in this Union—North Carolina, Virginia, Maryland, Tennessee, Kentucky, Missouri, Delaware. Is it not worth something to secure them? Or is an idea, is a dogma, to prevail,—a dogma not of the Constitution, a dogma not derived from the Constitution, a dogma having its origin, its whole value, to consist in the peculiar opinions—I will not discuss them—in one section of the country, and which is attempted to be placed above the Constitution, and made an inseparable barrier to those measures of policy which, in the present exigency, seem to be necessary to save the country from overwhelming ruin? “Slavery shall not be extended in any Territory;” yet here I have endeavored to show you, to remove any scruple as far as I can, that slavery does exist there now, and probably to almost as great an extent as ever it will in the future. The dogma, if insisted upon, and the denunciation implied upon a whole class of States, that their system of labor shall be excluded, and they thereby partially excluded, is destroying the equality of the States, is not doing justice to common owners, is a usurpation, and a monopoly by a part of that which belongs to the whole, and which the whole have an equal right to enjoy.

But to take away from it the mischief it might do as a general principle, if insisted upon everywhere, for the peace of the country let that line of partition be made; you take the greater half; you take two-thirds of it all; and say as to the other third, and that the poorest and most sterile and most uninhabitable, which you nominally leave to the South, that the state of things as it now is there shall continue to exist until it becomes a State, when it may dispose of this pestiferous subject exactly as it pleases. That little boon has not been granted. That is too great an offering to make to the safety of the country. My friends, on the right and on the left, is this not a marvel in the history of the world? Gentlemen deny this little item of satisfaction. Gentlemen deny it here, seeing the consequence of it. They see the country going to ruin, limb by limb falling from it, and some of its strongest and most potent arms falling from it, and yet they adhere to a dogma, and refuse the remedy which can avert the evil. Was ever exaction so small to avert an evil so great?

Gentlemen, however, say they will not do this, because they will make no compromise. Gentlemen, if this is a compromise, who offers it? Does the South offer it? Does the North offer

it? There must be two parties to a compromise. Has there been any negotiation between them on the subject? We are one and an integral body, composed of senators of the United States. I have the honor to be one of that honorable body. I offer a resolution. Do I offer it as a compromise? I am not only elected by the State of Kentucky as her representative, but I am the representative, as I understand it, of every State of this Union. I am a senator of the United States; and it is in that right that I offer my propositions here. If those propositions had contained, on any controversy that might have existed, such terms as the North insisted on, whose terms would they have been then? Would you have called them a compromise offered by the North to the South? And yet a Southern senator offered them. No, sir; I offered them as no compromise from the South to the North or the North to the South. I offer them to your wisdom and for your consideration as a measure for the benefit and common good of the whole country. I offer them as indicating the best policy for the whole country; and you call them a compromise, and say you will have no compromise; and petitioners are instructed to say, "No compromise."

Sir, I am very sorry to hear such language employed in a petition from the people, and in such a connection as this. This is no compromise. The petition does not apply to the case. It is a measure of government which I offer as a senator, standing equal and just between the States North and South. I offer it as a measure of government for your good of the North as well as the good of the South. It would have to be a task imposed on me, indeed, though I do not know who could impose such a one, if I were to offer, as a senator of the United States, to this body any proposition of a character so partial and selfish as to amount to an unfair advantage to any part of the country, and to the disadvantage, much less to the dishonor, of another. I would as soon dishonor my fellow-citizens in one section of the country as in another; and I hope and trust in God, neither my principles nor my feelings would allow me to attempt or permit any such thing, either to the one section or to the other section. I have offered it in no such spirit. I am not bargaining for the South or bargaining against the North. I am pursuing a policy which I think the country ought to pursue, and submitting it to your common judgment. By that common judgment nothing can be done, nothing can be granted, and no compromise can be made.

Thirty-seven thousand men from the noble old State of Massachusetts have said, "Let there be no compromise." Nothing is more justly boasted of by Massachusetts than her school-

houses and her churches. Her churches and her school-houses were the first houses she built; and now here have arisen out of these churches over thirty thousand men who, when a great controversy arises in the country, when revolution is seizing arms on every side, and brethren are ready to slay and destroy each other, and when such terms as those which I have endeavored to explain can settle the whole matter, with an apparently pious and religious cry, say, "No compromise; let blood flow; but no compromise." Where did they learn that? Did they learn it in church? Did they learn it in the Bible? The Bible says, "If you bring your offering to the altar, and there remember that thy brother has aught against thee, lay thy offering down; go and be reconciled to thy brother; and then come and present thy offering to the Almighty; then thy offering will be acceptable to thy Maker." Here the pious thirty-seven thousand say, "No compromise; that is the offering we carry to the altar; blood and battle we carry to the altar, and lay there as our offering." That is the bloody trophy they offer up. They say, "No compromise." I have no doubt, sir, there are many venerable and good men among them, because they are neighbors to at least forty thousand Massachusetts men who have petitioned in a very different tone, and say, "Compromise, I pray; make peace with them; let us not slay and destroy one another." That is the language of the petition which I presented.

Sir, if old Bunker Hill now had a voice, it would be, of course, as it should be, a voice like thunder; and what would she proclaim from her old and triumphant heights? No compromise with your brethren? No, sir; that would not be her voice; but I fancy to myself, if that venerated and honored old scene of American bravery, hallowed by the blood of the patriots who stood there hand in hand, brethren of the North and South, could but speak, it would be but one voice, a great and patriotic voice: Peace with thy brethren; be reconciled with thy brethren. It is less than the value of a straw that is asked from you as compromise, and you will not give a straw. You prefer the bloody doctrine of "no compromise; battle first;" and woe be to those who first draw the sword!

Mr. President, I am endeavoring plainly and frankly to present to the minds of my brother senators the view which I take to some extent, perhaps not the whole extent, of what will satisfy the South, and leave it to yourselves to judge how far it is true. Of course, it would be idle in me, and worse than idle, if I were to make an untrue statement, or an unfounded statement, as to the exact merits of this paltry question which now divides us. I do not believe there is a State in this Union, the

people of which would not, upon a fair presentation of this question, put perhaps in less offending language than can be found in some of these resolutions, who would not vote for peace on the terms proposed; who would not grant all that is asked, and more than that, if the consequence on the one side was to be reconciliation and reunion, and on the other battle and blood.

But now, to pass from this view. We are likely soon to part, and what a spectacle do we present! We have done nothing. The country is inflamed, and nothing has been done to quench the destroying fire; yet that is our business here, to preserve the Union, to make the people contented and happy. That is our great and high mission. The country is in flames, and nothing has been done to extinguish the fire. What, senators and Mr. President, is to be the consequence of it? No one can exactly answer; but the question must awaken the forebodings of every man within the reach of my voice. What consequence will follow from our failure to do anything? God only knows. They are fearful to think of, in my judgment. I do not know what they will be. I fear for further revolution; for revolution to such an extent as to destroy, in effect, this Union. I hope not. I would advise against it. I would say to the people, the distraction which exists in the opinions of those that constitute Congress are such that they cannot agree upon any measures now; you may think and feel that justice is denied you; it may be so; but it is denied you by whom? In a time of high party excitement, by one Congress. Your Constitution is so framed as to give to you, in a short period, many Congresses. The power returns to the people of electing their representatives; and this government is worth being patient for, and worth bearing a great deal for. Be patient and bear it, even though you think you are wronged. Rather bear the wrongs you have than fly to others which you know not of. Hold fast to the Union. The Union is the instrument by which you may obtain redress, by which you will in the end obtain redress. Congress may err. It may err from error of judgment, from passion, from excitement, from party heats; they will not last always. The principles upon which your government was founded recognize all these frailties, recognize all these sources of occasional and temporary wrong and injustice, but they furnish a remedy for it. They furnish a remedy in the often-recurring elections which the people make. It is not for the first offense that dismemberment and disunion are justified. Hold fast to the Union. There is safety, tried safety, known safety; and that same Union is the best assurance you can have of eventually obtaining from your fellow-citizens a generous recompense for all the wrongs

you have received, and a generous remedy against any wrongs hereafter.

These are my feelings, and this would be my advice. My advice is that of a Union man earnest for its preservation; and, without the fullness of my heart, the words which I utter are worth nothing. This would be my advice at all times upon this question, and upon every question which threatened the Union: stay in the Union and strive in the Union. We may have had evidences enough here of the impossibility of obtaining any agreement from our Northern brethren to these measures of policy which I have offered. I will not call them a compromise, for that seems to offend gentlemen; though I was willing that each of our brethren, North and South, might think, by the word compromise, that, in a generous and affectionate spirit and sentiment, nominally, at least, he had given up something. But gentlemen object to the term, if the stern, warlike cry of "no compromise" is heard, like the ancient cry of the Roman conqueror. When oppression was complained of, they answered it by a *væ victis*,—woe to the conquered—now translated "no compromise." The *væ victis* of the Romans, and the "no compromise" here, apply to different ages, but they are the same language, and convey the same terrible denunciation,—woe to the conquered; no compromise. Take our dogmas; take our platforms; it is not sufficient that you obey the Constitution; it is not sufficient that you adhere to the Union; go out of the Constitution; go out of the Union; look at our platform; study that; that is the idol to which you must bow down; otherwise, "no compromise"—woe to you. Sir, this is not the language of the heart or of the judgment. It is the language of excitement. It may be uttered by good men; but it is the language of passion. It is the language of excitement. It regards nothing here to be a compromise that is within the Constitution.

These amendments only ask you to make some additions to your Constitution because of the altered state of things. When we met here at the commencement of the session, you had fifteen States which adopted the same system of labor—involuntary servitude. The Constitution was framed to a state of things, when almost every State in the Union, with but one exception, adopted that system of labor. You have now in the Union, of those who acknowledge this system of labor within it, only eight of those States; supposing Texas out. In the old Constitution, when almost all were slave States, you gave guarantees that fugitives from one State to another should be returned. Now there has got up, what is unknown to the Constitution, an agitation against slaveholding, which the Consti-

tution recognizes, for which the Constitution did not disqualify, or place any inequality upon the States holding it. There have been got up in our country questions arising out of that, beyond the limits of the Constitution, which rest above the Constitution, and which are worked up into platforms, and to which the obedience of all other sections is demanded. Now, my brother senators, is there anything like that in the Constitution, in fact or in truth? Did not the Constitution intend to leave us free on that question as regards ourselves? Did it not intend to leave the States choosing to adopt that system of labor just as free as it intended to leave them in regard to other questions? It seems so to me.

Sir, another reason for my confidence is, that this cry of *va victis*, or no compromise, is not the sentiment of the American people. Although we have been unable to agree upon anything here, is it known to any senator, the oldest and the most experienced, either in his own experience or what happened in the country before his time, that there ever was such an expression of public opinion given within so short a time as has been given here in reference to these very propositions? What is the number of petitions forwarded? I suppose, if I should say we have received petitions from not less than a quarter of a million, I should be within bounds. In addition to that, societies everywhere have been petitioning in the name of their whole body. State legislatures have memorialized, and, in fact, petitioned Congress in the name of the people of their States. I do not know how many. The chief agents of the great railroad companies, owning railroads in value to the amount of more than three hundred million dollars, traversing the country from north to south in every direction, have petitioned in favor of the adoption of these propositions of peace, and they, gentlemen of the highest standing and the highest respectability, have declared that, as far as all their travels extended along all these mighty railroads, they have found the people, with great unanimity, of the same opinion, and in favor of the adoption of these propositions.

Now, sir, I do not want confidence in legislators. I have been one of them too often and too long to endeavor to cast any discredit upon them, or the differences of opinion which exist among them. I do not intend to do any such thing; but I intend to say this: that my confidence in the intelligence and public virtue of the people is greater than it is in any body of their representatives. The people have given me assurances upon this subject by these petitions, that right will eventually be done; that they, the true sovereigns of the country, will take this subject into consideration, and that they will not allow

them and their children, and their children's children, scattered about through all this land, to go to war with one another upon such a comparative trifle.

I hope, too, that the South, the State which I represent, and all others, will find in these petitions a generous spirit of fraternity, a generous spirit, a sense of justice, that will remove those misrepresentations which have been so long and so often impressed by party upon their minds, that one section hates another. I do not believe any such thing. I have been to the North, and I have been to the Northwest; I have been to the country of the honorable senator from Minnesota. I observe that the names of the petitioners that he presents are limited to very small pieces of paper, who cry out "no compromise" there. Why, sir, let me tell the gentleman an anecdote which will redeem his people from the unchristian spirit of hostility with which they seem to desire to impress their opinions exclusively upon the minds of all their fellow-citizens, or at any rate not to compromise.

There was a little party of us that were out in the mighty country of the Northwest, amusing ourselves with hunting and fishing and camping about. We got to St. Paul. There was a servant with us that attended our party, and was very useful to us, and enjoyed it about as much as any of the whole party. We found it at St. Anthony so pleasant, and there was such a grand, magnificent, and accommodating hotel there, that we stayed there some time, the servant with us. They did not act in the spirit of no compromise (we will not pull a hair from the head of the littlest dogma that is embraced in the Chicago platform), but they treated us with the most open hospitality and kindness to be found anywhere; and told us particularly, "Take no alarm about your servant; do not trouble yourself about him at all; he is just as safe here as in Kentucky; no man here will disturb him; the town will not permit it." There was not a word said about him; and every man there knew he was there, and knew he was a slave, and there was nothing said about it. That was the sort of hospitality and kindness, that was the sort of compromise, they gave: "Stay; you are our fellow-citizen from a distant land, come among us, and we want to show you that we know how to meet you, and treat our fellow-citizens; we are glad to see you, and there will be no disturbance about your servant;" and exactly did they fulfill their kind and hospitable words. They compromised.

But the senator feels himself called upon not to compromise a great nation; and yet, through this great nation common blood flows. What man is there here that is not of a blood, flowing—meandering—perhaps through every State in the

Union? And we talk about not compromising a family quarrel; and that is to be held up as patriotism or party fidelity. In the name of God, who is it that will adopt that policy? We are one people in blood; in language one; in thoughts one; we read the same books; we feed on the same meats; we go to the same school; we belong to the same communion. If, as we go through this quarrelsome world, we meet with our little difficulties, if we wish to carry with us grateful hearts for the blessings we have enjoyed, we shall be bound to compromise with the difficulties that must occur on all the ways of the world that are trodden by governments on earth. It is our infirmity to have such difficulties. Let it be our magnanimity and our wisdom to compromise and settle them.

Do not believe, my fellow-citizens of the North, my brother senators of the North, that I am urging this upon you as a bargain. I am only proposing the measure which I believe, and which my judgment suggests to me, as most for your benefit, and most for my benefit; most for the benefit of your States, of my State, and of the States of all of us. That is the spirit in which I propose it. I would not take the most paltry right from you to give it to the South. I would not detract a particle from your honor, in order to give anything like a triumph to any section of the country. You are as much my countrymen as anybody. I claim the whole country as my country; and as yet the alienation is not such between us and even these seceding brethren that I could not travel through it, and feel as if I was still in my own country. I feel an assurance that, by a right system of policy here, even they would return. Now, I would have the South, I would have the border States, as they are commonly called, those that yet remain out of secession, to stand by you, trust to you, and trust to the people. A great many, if not a majority, of their Northern brethren have given them assurances of their sympathy for them, and that justice shall be done them. I believe it. They are assurances given by kindness, by patriotism, and will be redeemed; and that kindness, that sympathy, which exists in the North, will attract others. It is the standard of humanity, and the standard of patriotism; and one after another they will crowd around it, until the States shall come and make peace-offerings to their brethren instead of crying out "no compromise." I believe in this. I would have the border States believe in this. Our Northern fellow-citizens have entitled themselves to this confidence by their action upon these very resolutions. Thousands, and tens and hundreds of thousands, have come here and petitioned for them; the States have petitioned for them. All this is an evidence of kindness that ought to bind the heart of the Southern



States. At any rate, it ought to affect their judgment as to the future.

You will see by this that, even if nothing be done, I am not for secession. No, sir; I was born and bred in the State of Kentucky; and as to my native State, old Kentucky, I shall say to her more freely than to others: I desire to see you stand by the Union of the country; do not go off until an imperious necessity forces you; give to the world a long-continued evidence of your constancy, your patriotism, and your fidelity to the Constitution. Stand by it; you have stood there heretofore manfully; you have literally founded this faith upon a rock: this faith is founded upon a rock, and you have engraven the sentiment there. The stone which you contributed to the unfinished monument of Washington, in this city, bore upon its Kentucky marble front these words: "Kentucky was the first to enter the Union after the adoption of the Constitution; she will be the last to leave it." That sentiment she has engraven in marble; and it now stands sanctified still more by forming a portion of the monument of George Washington. I want to see her true to that great sentiment. It swells the heart to hear it. There is nothing, as it seems to me, in all the hopes and all the triumphs that secession can promise itself, equal to the proud swelling of the heart at these noble and patriotic sentiments.

Let Kentucky stand by that sentiment. Let her be the last to leave that Union which has conferred upon her so much honor, so much glory, so much liberty, and so much happiness; and, abused as it has been, maladministered as it has been, it is as yet the best government on earth; the only government on earth in which a man commands his own actions, can speak his own thoughts in any work which he pleases, where no man is imprisoned unlawfully from one end of it to the other. From San Francisco to Portland, where is the man that is imprisoned and deprived of his liberty unlawfully? If our treasury is empty, our money misspent, still, badly administered as it has been, and as much better as it would be if properly administered, with all its faults of administration, it is the best government the world records. It is only here in the arms of this great and mighty republic that liberty was ever presented to the world in all her height and all her majesty. The little republics on the Alpine hills of Europe are little communities too small to excite the ambition or the cupidity of greater and imperial powers. Liberty there is too small to be looked at; but here she stands up in all her majesty and in all her might, and with her mighty arms reaching across the continent.

Now, sir, will you allow such greatness as that to be lost?

It is a mighty benefit to every citizen of the country that the name of that country goes before him like a host, and is a shield over him. The very name contains a charm and a spell that protects him in every region of the world. This is one blessing this great country has conferred upon us, and which is magnifying still more every day.

When, for the want of timely compromises, we have fallen into this career of destruction, and that career is going on,—and where it will end God only knows,—I say I hope we shall stand to the Union and try it, and try it again. If one Congress does not judge rightly, or will not act rightly, another will. That is the principle of our government; and it requires of us, for all these great boons, patience and forbearance. Show you this patience and this forbearance, and let us wait; and, if that is to be our sad destiny, when rebellion and revolution shall have passed over this whole land, I want to see old Kentucky, even in that day of desolation, standing up, if left alone on the wasted field, brave and collected, with the flag of the Union in her hands, standing upon the great field like the last hero of a battle; and then, when the Union is no more, and she stands there the image of patriotism, of honor, and of heroism, and of fidelity to the Union to the last day of the Union, it will be time enough for her to consider what next shall be done.

My principle, and the doctrine I teach, is, take care of the Union; compromise it; do anything for it; it is the palladium—so General Washington called it—of your rights; take care of it, and it will take care of you. Yes, sir; let us take care of the Union, and it will certainly take care of us. That is the proposition which I teach.

Mr. President, I have occupied more of your time than I had intended, and I have occupied it with certainly a very desultory, and probably a very unprofitable, course of remark. I believe, sir, I shall be supposed to have expressed myself kindly, frankly, and sincerely. I do not wish, and I do not know what would induce me, to do otherwise.

I am about to part from all my brethren here. I should be sorry to believe that I had uttered a single word that could leave cause of offense in the heart of any member of this body. I have not so intended. I may err on this subject. I am earnest; I am sincere. I have spoken what in soberness and truth I believe; what to some extent, coming from the region where I do, I may say I know as to facts; and I endeavor to give you warning, not threats. I have long ago learned not to threaten anybody; but I may warn, and it is the duty of brotherhood, it is the duty of my place in the Senate, that I warn my brethren of any danger that I suppose is approaching our common coun-

try. I have endeavored to do no more; and I tell you now, that, whatever security the apparent peace that surrounds us may induce us to suppose exists in the country, it is a delusion. To-morrow, after to-morrow, and each to-morrow, brings with it new fears and new apprehensions to my mind. Rebellion, revolution, seem to be an epidemic in the land. I thought we could do something to stay it. I might have been mistaken even in that. You [addressing the Republican senators] have thought that these remedies would be inefficacious or unnecessary; you have hesitated to apply them. It seemed to you a concession. I do not ask it as a concession, except as a concession which might bring you a greater good. Let us hear no more about "no compromise." It is a measure of policy. If your good is not involved in it as well as mine, and much less if your harm is involved in it, I do not expect you to adopt it. I offer it because I believe it is good for you, as well as for every portion of this great country. That is the principle upon which I act as a senator of the United States, acting for a common country, dear to me in all its parts; its honor dear, its interests dear to me, and I find the best security for the rights of my own State in respecting the rights of every other State. These great movements in human affairs and in the course of nations will take place, sometimes final and disastrous, at other times they are temporary, and may be modified, and peace and harmony restored by a course of policy. Restoration is my great object. I have attempted that by the resolutions which I offered. It is too late for me to hope for their passage. Though I believe every word I have said, I am not vain enough to suppose that it can probably carry conviction or persuasion to the minds of gentlemen. I therefore calculate upon nothing being done upon those resolutions. I want a vote on them, and I hope that that vote, though it may not have the competent majority of two-thirds to recommend them as an amendment to the Constitution, may, by even a bare majority, contribute something to quiet the country and create a disposition to wait and forbear. That I cannot now hope for; but I do hope that this resolution which has passed the House of Representatives for an amendment to the Constitution, though in my judgment not covering the case, and wholly inadequate as a general remedy, yet may have some good effect, like a solitary ray of sunshine breaking through the clouds, which might show an opening in them. It is one ray from the great central system, to warm our hopes and keep them alive for another and a better day. The amendments to it which are now pressed upon us seem to leave very little hope. The resolution of the House of Representatives cannot be very objectionable in itself to any senator, unless it be to those

who assume that they will not compromise at all with the Constitution, to make even a single change in it. It may sometimes be that to make changes and amendments in the Constitution is the very way to preserve it. I do not doubt the sincerity of those gentlemen who say "it is out of our reverence to the Constitution that we will not consent to amend it;" but I beg them to reconsider that determination. There may be conjunctures in public affairs; there may be an alteration in the condition and circumstances of nations, particularly a nation which, springing up from a handful and a comparatively small community, has grown into a great nation. There may be occasions for making changes to accommodate it to these altered conditions, preserving its principles, not violating them, making them in harmony with, and as a preservation of the whole instrument—a process of preservation.

Now, I want to see, at least, this amendment made. May we not agree that all of the amendments which are now offered to it shall, at this last moment, in a spirit of amity and of conciliation, be withdrawn, and that we now have a vote upon the resolution from the House of Representatives? It may not be worth much, but it will show the way to peace; it will show the way to reconciliation; it will show that there is no stern, unreasoning, and blind opposition to every sort of acquiescence in amendments that are desired to the Constitution. It may not be of much effect for the present, or it may be. Consider the diminished number of the slaveholding States; consider the increased and increasing numbers of the free States; consider it fairly and candidly, and ask yourselves if your brethren are doing more than freemen ought to do, who are taught to be vigilant of their rights, to employ, as bulwarks for them, in all countries and on all occasions, constitutional securities. I hope, in that spirit, you will allow this resolution to pass.

Gentlemen, I beg pardon for the time which I have occupied. I thank you for the patient and respectful attention with which you have listened to my remarks. I ought to have said all that I have said in much shorter time and much fewer words.

Mr. Crittenden presented to the Senate the official evidence of the election of Hon. J. C. Breckenridge, then Vice-President of the United States, to the United States Senate, from Kentucky, *as his successor*. He remarked that it was a post of great difficulty and high duties. He had no doubt he would, and hoped he might, occupy the seat more successfully than he had been able to do for the good of the country at large.

Mr. Crittenden had now taken his final leave of the Senate.

Shortly after his return to Kentucky, he addressed the Kentucky legislature on coercion and the general aspect of the country. This speech will be found in the volume of his speeches to be published hereafter.

In July Senator Douglas died, and Mr. Crittenden pronounced a eulogy upon him ; and that, with all other speeches of a kindred character, and a few short and important political speeches addressed to the Senate, I have thought it best to publish in his life.

## CHAPTER XVI.

1861.

Invitation of City Council to visit Cincinnati, and Complimentary Resolutions—  
Mr. Crittenden's Reply—Letter of George Haven—Letter from Mr. Crittenden to Larz Anderson, of Cincinnati, explaining the Compromise Resolutions—  
Notice of Mr. Crittenden's Retiring from the Senate, taken from the *Southern Advocate*—Mr. Crittenden's Address to the Legislature of Kentucky, 26th of March, 1861.

(Welcome to the Hon. John J. Crittenden by the City Council of Cincinnati, Ohio, February 27th, 1861.)

WHEREAS, Hon. John J. Crittenden being about to retire from the Senate of the United States, a position that he has eminently adorned by his unfaltering patriotism and exalted wisdom, and will shortly return to his home in Kentucky; therefore be it

*Resolved*, That the thanks and gratitude of the nation, which he has so nobly and faithfully served, will go with him in his retirement, and be an endearing legacy to his children; and be it

*Resolved*, That the opportunity afforded of a brief stay in his progress homeward, will enable our people to hear from his own lips—patriarch as he is of the Senate—words of counsel and wisdom in this hour of gloom and despondency to the country; and be it

*Resolved*, That the Hon. John J. Crittenden be requested, at such time as he may select, to address the people of Cincinnati and contiguous cities upon the momentous affairs of the nation; and be it

*Resolved*, That the clerk of the Council be, and is hereby, directed to forward to Hon. John J. Crittenden a certified copy of these resolutions.

Lieutenant Whitson offered the resolutions to the Council of the city of Cincinnati.

After the reading of the resolutions there was a breathless suspense. Everybody expected that some Republican would oppose them. "Question!" "question!" was loudly called for,

after Lieutenant Whitson had ended his remarks on the resolutions by stating the people would settle all bills occasioned by the proposed ovation.

The Chair was about to put the question, when Captain Eggleston arose, as everybody supposed to oppose the resolutions. Said he, slowly:

"I have an amendment to offer; I want to add another name, the name of one who stands as high in the estimation of the country as Mr. Crittenden. [Some Republican growled, a Buchanan Democrat!] I wish to add the name of Andy Johnson, of Tennessee!"

"Good! good!" came from all parts of the house.

Lieutenant Whitson accepted the amendment, and the resolutions were *unanimously* adopted, with a *hurrah* for Crittenden and Johnson.

(Joint Resolution of Respect to Hon. J. J. Crittenden, passed by the Board of Aldermen and Board of Common Council of the City of Washington.)

*Whereas*, the time is at hand when the Hon. John J. Crittenden is about to withdraw from the national councils, after a career of illustrious public service running through a period of more than forty years; and *whereas*, during all that time he has steadfastly evinced his devotion and attachment to the union of the States, no less by his large and comprehensive statesmanship than by his liberal course of policy in connection with the interests of this the capital city of the republic, selected by the Father of our Country as its permanent seat of government and stamped with his own immortal name; therefore

*Resolved*, by the Board of Aldermen and Board of Common Council of the City of Washington, that a committee, consisting of the Mayor and the President and two members of the Board of Aldermen, and the President and two members of the Board of Common Council, be appointed to wait on Mr. Crittenden and present him a copy of these resolutions, at the same time conveying to him our deep sensibilities at parting from one who has been so long among us as to be regarded almost as one of us, and whose absence from the social and political circles of Washington will leave a vacuum not easily filled.

(Signed)

GRAFTON POWELL,  
*President of the Board of Common Council.*

(Signed)

WILLIAM T. DOVE,  
*President of the Board of Aldermen.*

Approved March 4, 1861.

(Signed)

JAMES G. BERRET,  
*Mayor.*

(Address of the Citizens of Louisville.)

LOUISVILLE, KY., 1861.

To the Hon. JOHN J. CRITTENDEN.

DEAR SIR,—After a prolonged term of public service, extending its valuable influences through nearly half a century, and with a reputation which has descended from sires to sons of our country, you are about to seek repose and permit the evening of your glorious life-day to sink peacefully to rest amid the solaces and the holy endearments of home. We would not for one single instant arrest your progress towards that “haven where you would be;” but having watched with the deepest interest and the highest admiration your noble, patriotic, powerful, and persevering labors for the salvation of our beloved country in these days of fanaticism and insane violence, we, as citizens of Kentucky, without distinction of party, are anxious to manifest to you, in person, our gratitude for your glorious services,—services which your country can never recompense, but for the performance of which the patriot finds his highest compensation in the consciousness of having faithfully performed a high, stern, and self-sacrificing duty. We therefore cordially invite you to attend a public dinner in our city at such time as will best suit your convenience, and, as this request proceeds from deep-seated respect and veneration, we sincerely trust that you will not permit any circumstance to stand in the way of its acceptance. Many wish to meet you once again, and to take by the hand, perhaps for a last tribute of regard, the patriot and statesman, of whom, as Kentuckians, we feel so proud.

Your friends and fellow-citizens,

JNO. W. CLARKE,	Z. MORSE, JR.,	N. L. MCCLELAND,
S. F. DAWES,	H. S. JULIAN,	N. V. GERHART,
GEO. DOYLE,	C. R. ERSKINE,	N. G. ROGERS,
JOS. E. GAY,	BYRON BACON,	H. B. CLIFFORD,
T. G. WOOLLS,	JOHN COLGAN,	E. L. SEICHEST,
WILL. S. HAYS,	A. M. STOUT,	L. M. GUTHRIE,
M. MULDOON,	A. L. DUYERS	W. V. WOLFE,
B. HARDIN HELM,	A. L. CAMPBELL,	JO. C. ALEXANDER,
D. HATT,	E. W. MEYLONG,	J. D. GRINSTEAD,
JNO. MCL. COLLINS,	EDWARD P. WELLS,	LEW. A. CIVITT,
R. OVERTON,	W. P. SHOTWELL,	WILL. H. HORVEN.

(J. J. Crittenden to Samuel L. Corwine, Esq.)

WASHINGTON, March 15, 1861.

SAMUEL L. CORWINE, Esq.

SIR,—I had the honor to receive your communication of the 28th of the last month, including the resolutions of the City Council of Cincinnati, adopted unanimously the preceding day.



I am very sensible of the great honor done me by the City Council, and am very grateful for it. Their approval of my public services is the most acceptable reward they could bestow on me.

I cannot neglect this, or any request with which the City Council may be pleased to honor me, and I will therefore comply with their invitation at some suitable time to address our fellow-citizens of Cincinnati. This, however, I must defer until some time after my return to Kentucky. I cannot do it conveniently on my way home, as I shall be hurried and wearied. I shall leave here on Sunday or Monday evening next for Kentucky.

Be pleased, sir, to communicate this letter to the City Council of Cincinnati, as some small evidence of my acknowledgments and thanks for the honor they have conferred on me.

I am very respectfully yours,

J. J. CRITTENDEN.

(George W. Haven to J. J. Crittenden.)

PORTSMOUTH, N. H., March 13, 1861.

HONORED AND DEAR SIR,—Will you permit me to add my own to the kind wishes for your happiness which are felt and uttered by thousands of my fellow-citizens in every part of the land? From you came the first gleam of encouragement which gladdened us in the midst of our perils, and if we are borne through them into peace and union, to you, my dear sir, more than to any other man, shall we and our children owe the deep gratitude of our hearts. Your spirit of consistent, unchanging conciliation has placed your honored name in the foremost rank among the benefactors of your race. Even the opponents of your plan have never failed to express their admiration for the purity of your motives, and the long-tried integrity of your character. To me you stand in a relation far dearer than that of admiration for your long and faithful public services, and whether we are saved or lost I shall ever think of you as a personal benefactor. I notice in the papers that you intend to visit Boston as the guest of the city. My home is but little more than two hours distant, and, if you can spend a day or two to visit Portsmouth, you will confer an honor only equaled by the pleasure you will give, by making my house your own on such an occasion.

Mrs. Haven joins me in salutations, and in the cordial wish to see you and Mrs. Crittenden.

Respectfully and truly yours

Hon. J. J. CRITTENDEN.

GEO. W. HAVEN.

(J. J. Crittenden to Larz Anderson.)

FRANKFORT, March 29, 1861.

LARZ ANDERSON, Esq., Cincinnati.

I observe that one of your respectable newspapers in Cincinnati has misstated my motives and my course in relation to the resolutions which I submitted on the 18th of December last to the Senate of the United States. It represents me as having "repudiated" them, and as having been "disgusted" with them after, by an amendment, they had been made to embrace all the territory hereafter acquired by the United States as well as that which they now possessed. A simple statement will correct these errors.

The resolutions were proposed in the pure spirit of compromise, and with the hopes of preserving or restoring to the country peace and union. They were the result of the joint labors of, and consultation with, friends having the same object in view; and I believe if those measures thus offered had been at a suitable time promptly adopted by the Congress of the United States, it would have checked the progress of the rebellion and revolution, and saved the Union.

For myself, I had no objection to including in their scope all after-acquired territory, *because that made a final settlement of the distracting question of slavery in all time to come*, and because I hoped that such a provision—by prohibiting slavery in all the acquired territory north of the line of  $36^{\circ}30'$  of north latitude, and allowing it in all south of that line—would have the effect of preventing any further acquisition of territory, as the Northern States would be unwilling to make any southern acquisitions, on which slavery was to be allowed, and the Southern States would not be inclined to increase the preponderance of the North by northern acquisitions. And thus I hoped that the provision respecting future territory would prevent any further acquisitions of territory, and I did not desire that any more should be made.

These were my reasons for submitting the proposition in relation to future acquired territory. But my great object *was compromise*,—compromise on terms *satisfactory, as far as possible*, to all parties and all sections; and when I found that this provision in my resolutions was much and particularly objected to, and might prove an obstacle to their adoption, I determined, in my anxiety for compromise, that I would not insist upon it, but would consent to have it stricken out.

To accomplish the great object I had in view, the peace and union of the country, I would, rather than have witnessed their total failure, have yielded to any modification of my resolutions that would not, in my judgment, have destroyed their essential

character and their pacifying effect. Indeed, I intended, if opportunity had been afforded me, to make several amendments in the *phraseology* of those resolutions, in order to render their language as little offensive as possible.

I wish to see reconciliation and union established. It was of no importance by whose resolutions or by whose measures it was brought about, so that the great end was accomplished.

It was in that spirit, that when the Peace Conference or Convention, that met at Washington upon the invitation of the State of Virginia, made a report to Congress of the resolutions or measures recommended by them for the restoration of peace and union, I at once determined to support their measures rather than those I had before proposed. I did this, not only because their propositions contained, as I thought, the substance of my own, but because they came with the high sanction of a convention of twenty-one States, and would, therefore, be more likely to be acceptable to Congress and the country. Besides that, I felt myself somewhat bound to act with this deference to a convention so distinguished. I had ascertained to my satisfaction that the resolutions would not be adopted in the Senate.

From this hastily-written statement you will discover the motives of my conduct in all the above-recited transactions, and that I did not so act either because I was "disgusted" with, or had ever "repudiated," the resolutions which I submitted to the Senate.

I am, very respectfully yours, etc.,

J. J. CRITTENDEN.

(From the Catlettsburg Southern Advocate, on Mr. Crittenden's retiring from the Senate.)

There is no Kentuckian to whom the name of this distinguished statesman is not as familiar as household words. For forty years his name has been intimately associated with the history of Kentucky,—in the tented field as her chief executive officer, one of the most brilliant officers of her bar, one of the cabinet ministers of two Presidents, in the Senate of the United States, where, by his talents, virtues, and patriotism, he has attained the highest position, and now, by common consent, he is hailed as the Nestor of that peerless body, and stands *peerless* among his *peers*. Kentucky, in her proudest days, could have asked no more at the hands of her senators than can be found in her illustrious Crittenden. When danger threatened the rights of the State, or the Union, which she loves, her great anxieties were speedily removed by a recollection, that in the councils of the nation her interests were confided

to one of the wisest and purest patriots of whom our country can boast,—one who was the companion and compeer of her immortal Clay. Neither the eminent services which this distinguished statesman has *rendered* his State and country, nor his exalted patriotism and talents, nor his purity of life, nor all these combined, were sufficient to save him from the sacrifice which the insatiate spirit for proscription in the party, now in the ascendant in our State, demands. The deed has been accomplished, the decree has gone forth, that he, whom Kentucky has always delighted to honor and whose services have been heretofore so highly appreciated, must vacate the seat in the councils of the nation, so long held with honor to himself and his country,—an act of ingratitude which leaves a stain upon the history of Kentucky. We are aware that his opponents, by an unfair representation, have deceived the people in regard to his views on the great subject of slavery, inducing them to believe that he is not a safe guardian for Southern interests. How absurd is such a suspicion! and it is attempted to be cast on Kentucky's favorite son by those who commend to her confidence Buchanan, Douglas, and the leaders of the present Democracy. Although his official relations to his State may soon be dissolved, and his patriotic voice be no longer heard in the Senate-chamber, yet there is kindled on the altar of his heart a flame of sacred devotion to his country, which will ever impel him to raise his eloquent and patriotic voice in her defense, whether she be assailed by internal or foreign foes. Have we not an evidence of this now? Does not the angry storm of dissension, which is now lashed into fury by the fanaticism of the extremes of the two great leading parties in Congress, threaten our Union with dissolution? Where does John J. Crittenden stand? As the great *peacemaker*, calm, though not unaffected by the danger which threatens our Union, he raises his warning voice, calling upon the true and conservative portion of every party and section in the country to unite in one grand Union party, whose basis shall be "the Constitution, the Union, and the enforcement of the laws." Mr. Crittenden, with others of a kindred spirit, are the leaders of this great Union movement, actuated by no other motive than the good of the whole country. It must be gratifying to every lover of the Union to see that the effort meets the approval and co-operation of thousands of every section of our land, proving conclusively that the hearts of the people are right and that the Union party will be triumphant. Mr. Crittenden retires from the Senate with the consciousness of having done his duty, and the warmest gratitude of a large portion of the citizens of his State and of the Union. At no period of his life

did he hold a higher place in the affections of the people. May he long live to enjoy the proud satisfaction which so long a life spent in the service of his country must afford!

Mr. Crittenden has all his life been a firm and outspoken party man; principles he has always had, and their fearless enunciation has ever been characteristic of him. But at this crisis of our country's history and hopes he has divested himself of everything like party feeling, bias, or prejudice, and plants himself alone upon an earnest and patriotic desire for the preservation of the Union and the restoration of the full measure of peace, prosperity, and happiness which once belonged, in a degree never surpassed by any other people, to the citizens of our common country. Forgetting the past of party politics, he is ready to unite with all of every party whose object in reference to the vital question of the republic's safety is coincident with his own; and his appeals to the brave and the good of all parties to rally under the common flag of the Nation, and save it from the wanton destruction with which it is threatened, are worthy alike of himself and of the glorious cause for which he so feelingly and eloquently pleads, and to which he is devoting all the energies of his noble nature. To Kentuckians especially are his counsels directed, to stand by and maintain the Union and the high position of their Commonwealth in it, in this hour of trouble and peril. A native Kentuckian himself, there is no man prouder of his birthright; but he is equally proud of the title of American citizen which he bears; neither would he surrender, both being alike cherished objects of his affectionate regard. His fellow-citizens, who have ever regarded him as a faithful and honored representative of Kentucky character, will, we feel assured, give heed to the counsels of the gallant old patriot, and will rally in the majesty of their might to the duties to which he invokes them.

(From the Lexington Observer and Reporter.)

SPEECH OF THE HON. JOHN J. CRITTENDEN, BEFORE THE LEGISLATURE OF KENTUCKY, ON TUESDAY, 26TH OF MARCH, 1861.

MR. SPEAKER, AND GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES,—It is my great honor on this occasion to appear before you upon your joint invitation to address you upon the subject of our national affairs. I thank you, gentlemen, for the great honor you have thus seen fit to confer upon me. I have been long, very long, in the service of my country. The time has come when I am to retire from it,—I do it cheerfully and willingly. You and your predecessors have conferred many honors upon me,—you have given me your confidence. Re-

peatedly have I had the honor of being elected to the Senate of the United States. I am now a private citizen; and, after all my trials and my attempts in the service of my country, you are pleased to receive me with approbation. I am grateful to you, gentlemen. By these honors and this exhibition of your confidence you endeavor to make the repose of my old days—after a life spent in your service—agreeable, happy, and honorable. You can confer no greater reward upon me; I can receive none greater. I know that I am indebted as much to your partiality as I am to the value of any service I have rendered for these tokens of regard and confidence.

I am invited, Mr. Speaker, to address you and the honored assembly on the subject of our national affairs. It is a gloomy subject, Mr. Speaker. Never in the long history of our country has anything like or at all parallel to the present condition of our country presented itself for our consideration. But a little while ago we were a great, united people; our name was known, and known only to be respected, throughout the land. Our power, our greatness, was everywhere recognized, and our flag was everywhere considered as the emblem of a great and growing nation. Now, sir, what is the condition to which we are reduced? Where is that glorious Union that we promised ourselves should be perpetuated? Where are those ten thousand sentiments offered in toasts and orations that the Union was to be perpetuated? “Let it be perpetuated—*esto perpetua*”—was the sentiment expressed on thousands and thousands of public occasions.

What is our condition now, and how has it been brought about? I need not state very particularly the causes which have produced these effects, nor need I recur to the present condition of our nation with a view of telling you what it is. It is a sad story, so sad that it is impressed upon every heart, known to every citizen. I shall not detain you idly by any particular details of causes. It is enough to say that it has all grown—our national calamity, our national misfortune—has all grown out of a controversy between the slaveholding and non-slaveholding States; furnishing questions of slavery and questions of anti-slavery,—questions about the Territories of the United States. These agitations have long exasperated on the one side and on the other a vast portion of the United States. It has resulted in the formation of sectional parties,—a sectional party in the North and a sectional party in the South. The sectional party of the North has finally succeeded in electing a President for the United States, and installing their party in all branches of the government. This has excited increased apprehensions in parts of the South as to the safety of their pecu-

liar institutions. They dread that the Northern power will employ itself in destroying one of these institutions, and depriving them of their property. Under this apprehension, what have they done? They have sought a most violent remedy against this apprehended evil by seceding, as they term it, from the Union of these States, and forming for themselves a separate, distinct, and independent government out of the seven States that have seceded,—South Carolina, Florida, Alabama, Georgia, Louisiana, Mississippi, and Texas. These States have, in so far as they possessed the power, broken our Union, and established, or attempted to establish, for themselves an independent government, and to put that government into operation. This is the present attitude in which our country stands. While these revolutionary movements were in progress, attempts were made in the Congress of the United States, then in session, for the adoption of such measures as might check them. It was hoped that if these measures could not recall to the Union the States that had already seceded, they might secure the allegiance and adherence to the Union of the remaining States. Among many other gentlemen who proposed measures for adjustment and reconciliation, I submitted a series of resolutions, believing that their adoption might pacify our country, put a stop to revolution, and preserve and restore our Union. I need not undertake to occupy your time by reciting those resolutions. They are known to you all, and had the honor of being expressly approved by you. Their object was mainly to satisfy the claims of the South to remove with their slaves to the Territories of the United States.

On the other hand, this right was denied upon the ground that the Territories belonged to the United States; that no individual State, nor any of the States, separately, had an interest in the Territories, but that they belonged to, and were under the absolute control and government of, the general government. Sir, let that be admitted. Admit that the territory is under the absolute control of the general government, but, sir, does it not follow that that general government ought so to administer this great property, so to exercise its great functions, that every class of States, and every State, shall equally participate in and equally enjoy that which belongs to all? No matter whether you consider it a property held in trust for the individual States, or as a property held absolutely for the general government, to be controlled or disposed of by the general government, it equally follows that the general government, to be just and to act upon the principles of the Constitution, ought to so administer the property that each and every State—every portion of the Union—may have an equal participation in and an equal

enjoyment in that which belongs equally to all—the territory of the United States.

It seems to me, therefore, that there is injustice in excluding from that equal and full enjoyment any class of States because of any institution that may exist in them. The Constitution gives to the other States no right to monopolize that territory, and to assume the entire ownership and enjoyment of it. The Constitution accepted them at its foundation. It accepted them as slaveholding States. It accepted them at the time of its adoption as entitled to equal rights, notwithstanding they held slaves. It accepted slaveholding and non-slaveholding States as standing in equal favor with the Constitution, and entitled to equal rights and equal justice from that Constitution. So regarding it, it seems to me that it would be unjust for the free States to assume and usurp to themselves the entire control of these Territories, and to control them so as in effect to exclude from them portions of the citizens of a certain class of States. I thought, therefore, sir, that the North was in the wrong and that the South was in the right in respect to this question of property and rights in the Territories of the United States; and one of the objects of the measures which I proposed, one of their chief objects, was to procure, by an amendment to the Constitution, an acknowledgment of this equal right on the part of the South. Upon constitutional principles, this right would extend to all the Territories of the United States, and the Southern States, in common with the free States, would have an undivided and equal right in all the Territories of the United States. But, as a common enjoyment would be difficult, it appeared more convenient that there should be for this purpose a sort of partition of the Territories of the United States between the different classes of States, slaveholding and non-slaveholding.

Our fathers,—those who have gone before us,—in the year 1820, upon the question of the introduction of Missouri into the Union, were involved in this very question of slavery agitation. The admission of Missouri was objected to because of its constitution, in view of the fact that slavery existed in the new State and was sanctioned by its constitution. Manifesting, at that early period, an opposition to the exclusion of slavery, they rejected it in the first instance,—they opposed the admission of Missouri. A compromise was then drafted. The line of 36°30' was made the dividing boundary or line. Upon the north of it slavery was to be prohibited; upon the south of it slavery was not to be prohibited. So the matter rested. It produced peace. Now, instead of the common, undivided right to go into all the Territories, the South has an implied promise



that she may go there and carry her slaves, if she pleases, into all the territory south of the line  $36^{\circ}30'$ . That compromise applied also to the territory acquired by the Louisiana treaty. What have we done in the present emergency,—an emergency presenting the same questions? I proposed that we should again adopt this line of division and apply it to the territory which we had since acquired in our war with Mexico; that again we should renew the compact that in the territory north of  $36^{\circ}30'$  there should be no slavery, and that in the territory south of it slavery should be recognized. It seemed to me that this was just, equitable, and right. But it did not appear so to the Congress of the United States.

I believe if the measures thus offered had been at a suitable time promptly adopted by the Congress of the United States, it would have checked the progress of the rebellion and revolution, and saved the Union. But, I say, it did not seem so to the Congress of the United States, and they declined to adopt these resolutions, with the exception of one. That was an amendment to the Constitution, which it adopted so far as it could, to be referred to the several States for their adoption—an amendment declaring that the general government should have no power whatever over slavery in the States, and that no amendment should be made to the Constitution of the United States which should give Congress any such power. It said nothing in respect to the Territories, either as it regarded the Territories themselves, or as it regarded slavery in the Territories. They declined to permit slaves to be carried into the territory south of  $36^{\circ}30'$ . In the mean time the revolution proceeded. This revolution has undertaken to form itself into a government distinct and independent. The revolting States have broken the Union which united us heretofore, and they are putting their government into operation; and we stand here to-day astonished at the great events that are occurring around us—astonished at the revolution that is glaring us in the face—and inquiring what is to be done.

There was one solitary circumstance attending these resolutions, however, that is well worthy of notice. Although the discussion of them did not sufficiently recommend them to the Congress of the United States, it struck upon the hearts of the people throughout the United States, and afforded them an opportunity for displaying their fraternal feelings towards us and all the South, and the generous temper and disposition which prompted them to seek reconciliation and adjustment—an amicable settlement of all our differences upon any terms that we might believe to be fair and equitable—just upon the terms offered by the resolutions which I submitted, or upon any other terms

equivalent to them. That would have been reconciliation enough to have saved the Union, whatever else might have been lost. As a testimony of the manner in which this adjustment was hoped for, hundreds and thousands of persons in the Northern States signed petitions praying for the passage of the measure,—forty thousand voters from the single State of Massachusetts, thousands from Pennsylvania, thousands from all the Northern States, breathing a spirit of love and kindness to their fellow-citizens and devotion to the Union, which was willing to sacrifice anything and everything for its preservation. This was to me, and it will be to you and to every Union-loving man, the most impressive and acceptable evidence of the temper and disposition of our fellow-citizens elsewhere. It showed me that the argument which had been so often used to disunite us—that the North hates the South and that the South hates the North—is not true. The Almighty has not made us with hearts of such malignity as to hate whole classes of our countrymen for the sins of a few men. The North does not hate the South. The South does not hate the North. In this matter, gentlemen, I speak so far as my own observation and my own experience enable me to testify. We have our moments of irritation at times. We have great provocations, and often these provocations have excited unkind feelings—reproaches without number, on the one side and on the other. Crimination and recrimination have existed between us. But this only serves to form a part of that great volume of abuse which political strife and the struggle for party predominancy must necessarily produce. They pass by, however. The stream is no longer made turbid by this cause, and in purity it runs throughout the land, encircling us in the arms of a common fellowship—a common country. So may God forever preserve us.

We have not been made to hate one another. We do not hate one another. The politicians who tell us that we hate each other are either honestly mistaken, or they are seeking ephemeral popularity by professing to be our friends, and showing us by the hatred which they profess for other sections, that their protecting love for us is over all. But the people will not always be led by politicians. They have risen upon this occasion, and I believe in my heart that there is at this moment a majority of Northern men that would cheerfully vote for any of the resolutions of compromise that were proposed by men of the South in the last Congress. I have assurances of that character given to me by some of the most respectable men, some of the most influential men, of Pennsylvania. I have assurances given to me by hundreds of letters from the most intelligent men of that State, to get my resolutions submitted to the

people. They came to me from every Northern State, I believe, without a solitary exception, to get my resolutions submitted to the people. "We want," said they, "to preserve the Union. We differ from our representation in Congress in this matter. They are elected as partisans, on party platforms, and are subject to the control of their party. They do not feel as we do. They feel and act like partisans, and want to maintain every syllable and every letter of their platform. We wish to preserve our sacred Union. We love our brethren. Put your resolutions before us. They will pass by hundreds and thousands of majorities." Gentlemen, I believe that, in Pennsylvania, they would have passed by one hundred thousand majority. If these have done nothing else, they have at least elicited evidences of affection for us from our Northern brethren. They ought to be considered as having attained something in this light, something important, too, considering the value of the Union. The people were ready to sanction the compromise. The generosity and patriotism of their hearts have not stopped to calculate the consequences to party of the downfall of their platform. They have indulged these feelings as fellow-citizens and fellow-countrymen, and they are willing to give you all you ask and all you want. They would rather give you more than you are entitled to, than part with you.

We are not to be outdone in generosity, I trust, by the people of the North. If they are thus anxious to preserve the Union, shall we be more lukewarm in that sacred cause? What we should do, is this: insist upon our rights, but insist upon them in the Union, and depend upon it that the people will grant them to you. This or that senate, and this or that body or convention, may refuse, but, mark me, your country has a great, warm heart. The citizens of this republic will work out the redemption of their country, if we will but combine and co-operate with them to preserve this Union. Let us struggle in the Union, contend in the Union, make the Union the instrument with which we contend, and we shall get all that we ask—all that we can desire—all that reason can warrant us in expecting.

This, my fellow-citizens, is the great fact of the sentiment and opinion of our brethren everywhere. Now, the great question which we are called upon to decide is, What, in this unparalleled, stupendous crisis—what shall we do? Seven States of our common country,—lately moving in harmony,—claiming no other rights than as the fellow-citizens of a common government, withdrew from this government, and are now denying their allegiance to it, avowing their determination to form a separate government, and actually forming that separate gov-

ernment as an independent government—as separate from this. They are attempting to ignore all relations to us, and claiming treatment as a foreign power.

What is the wish of us all? It is, and ought to be, by some means or measure to bring back to this Union—to bring back into perfect reconciliation with us—fellow-citizens who have thus gone astray and abandoned us. Ay, that is the wish of all. Though we may think they have acted rashly, we cannot yet look upon them as foreigners. They are, some of them, of our families; some of them are our brothers. They may secede from the government, but they cannot secede from those thousand affections that bind them to us. They cannot secede from those thousand relations of consanguinity and love which unite them with us. Nature has tied these knots. Party difficulties and political troubles can never untie them.

They proclaim themselves independent as a nation. How shall we treat these erring brethren? How shall the general government act towards them? How shall Kentucky and the other slave States conduct themselves towards these seceding States? The object of all is to bring them back. We wish them well, but we think they have greatly erred,—at least I do. We think they have done wrong to themselves, wrong to us, and wrong to all mankind by breaking up that government whose promises reached humanity in every region in the world; promises that have been indissolubly connected with liberty and political happiness. The wrong to all those interests which they have done proves conclusively to my mind that the Union cannot be broken. It is not yet broken. These States may have seceded. “Seceded,”—a word altogether illegitimate, having no origin or foundation in any constitutional right, and enigmatical in meaning; simply it is revolution against us,—whereas revolution acknowledged and avowed is war upon the nation against whom that revolution is attempted. If all our laws, all popular opinion and sentiment still exist in theory though disobeyed and disregarded by those who attempt to form another nation, the wish of us all is to bring them back—to be again one and indivisible. How shall it be best done?

What is the policy for the general government to pursue? Now, Mr. President, without undertaking to say what is the exact policy under circumstances so singular as the present hour presents us with, I will only undertake to say that they ought not to pursue a course of forcible coercion. Not the policy of coercion, I say. Our object and desire is to bring them back into terms of former union and fellowship. That is the object of our private affections as well as of our public policy. To attempt by coercion—by arms—to force them back

into the Union at the point of the bayonet—to shed their blood—is no way to win their affections. Let them go on in peace with their experiment. This government is not bound to patronize revolution against itself; therefore, I say, let its policy be the policy of forbearance and of peace. Let them make this experiment under all the advantages that peace can give them. We all hope, for their own good and their own welfare, that their experiment will fail of success; that when the increased expenses of a government formed of a few States, and the thousand inconveniences that attend its disruption from the great body to which it belonged,—like tearing off an arm from the human system; when they have come to experience all the pains and inconveniences, all the troubles and all the pests that attend, and must inevitably attend, this extraordinary movement, they will begin to look back to the great mansion of their tribe,—the grand Union of this great republic; they will wish to return to their brethren, no longer to try these hazardous experiments of making governments separate from this government. These are truly hazardous experiments. I think they will fail. I hope so only because that will have the effect of bringing them back into this Union. It will have the desirable effect of restoring our lost brethren to us. I am, therefore, for the peace policy. Give them an opportunity of making the experiment. Do not excite them to war or bloodshed. They have been sufficiently misled by other causes. Add to those causes the irritation that the sight of blood will necessarily create, and we can have no possible hope of reconciliation,—them to us or we to them.

Let us rather trust to peace. Let us trust to their experience,—the inconvenience of their errors. They will come back. We will invite them back,—not receive them as offenders or as criminals; we will receive them as brethren who have fallen into error, who have been deluded, but who, discovering their errors, manfully returned to us, who magnanimously receive them and rejoice over them. I want the general government to pursue this policy of peace and forbearance. What shall the separate States do? Those slaveholding States still adhering to the Union ought to be more particularly forbearing.

But what shall old Kentucky do? Our affections are all clustered upon her. Her peace, her honor, her glory, her interests are ours. Her character is ours,—and a proud heritage it is. I love her with all my heart. I am one of the oldest of her children. I have been one of the most favored of her children, and with heartfelt gratitude do I acknowledge it; with all my heart's devotion do I acknowledge it. I can never repay the obligations which I feel I owe to her. What shall Ken-

tucky do,—our country—our magnanimous old State—what shall she do in this great crisis, this trial of our nation's faith? Shall we follow the secessionists? Shall we join in the experimental government of the South, or shall we adhere to the tried government of the Union under which we live,—under which our fathers lived and died? I call upon you to bear witness, as candid, truthful men, do you know of any wrong that the government has ever done you? Can you name any instance of wrong suffered on account of your connection with the great Union of which you are a part? Kentucky herself came into existence under the Constitution, and under the Union that she still clings to. Under its protection she has grown from a handful of pioneers and a few hunters to the noble State that she now is; in every passage of her history maintaining her character for honor and fidelity, for devotion to truth, devotion to country; seeking at whatever distance, at whatever sacrifice, every battle-field upon which the honor and the interest of her country were to be combated for. That is old Kentucky. Fearing none; feeling herself in influence and power irresistible in the right cause, irresistible in defense of herself, she has gone on and prospered. Where is the man of Kentucky that fears that anybody will come here to take away our rights from us? Our self-possession and character are founded upon this conscious ability to defend ourselves,—that there is none so bold as to attack us, we being in the right, they in the wrong.

Now what, I ask again, is Kentucky to do? This is a question upon which many of us, fellow-citizens, differ in opinion. I came not here to-day to reproach any one for his opinion. I came to argue the matter with my fellow-citizens, and to present my views of the subject as one of the people of Kentucky. We should counsel together on such occasions. No man should be entirely given up to his opinion in such matters. He should listen with respect to the arguments of all. It is the good of the country that is at stake, and the opinions of all should be heard and determined upon calmly and dispassionately. If we differ, it is only about the means of advancing the interests of that country.

What will we gain by going off with this secession movement—this experimental government? Is it not a hazardous experiment? Can seven States well bear all the expense that must arise out of the maintenance of armies, of navies, the expenses of a state of government like our own with like expenses? They must have a President. They will probably not give him a less salary than we give our President. They must have a Congress. They will not give their Congressmen less than we give ours. They must have all the retinue, all the different de-

partments of government, and they will not place them, I think, at a less cost than we can. The army and the navy, of the expense of which our legislators frequently complain without being able to diminish, that they must have also. How can these seven States defray the expenses? Is it our interest to join this experimental government—to give up the grand heritage which we enjoy under the established Constitution, made by the men most venerated by us, under which we have lived—a government which has been thought throughout the world to be a masterpiece of human wisdom, shall we who have grown and flourished under it, and regarded it as the most firmly established government in the world if its principles are properly respected, shall we quit that and go into the secession ranks, fall into the footsteps of the revolutionary government? It would not be wise. I can see nothing that we are to gain by it. What will you gain? What is such a change to gain for any citizen? What evil is Kentucky to disburden herself of? What is the danger that now threatens her? Does she escape it by this revolution? Are these States any stronger by going out of the Union? I see nothing that is to be gained. I see no remedy in dissolution of the Union. The Union, on the contrary, seems to me to be the shield and arm of our defense. Kentucky retains in the Union all her physical powers that she could possibly have in the new Confederacy—all her means of physical resistance are just equal in the Union to what they would be out of the Union. In addition to this, she possesses claims by law and the Constitution which all the world sees, knows, can read and understand. With these immunities and rights, with the laws and the Constitution, does she not have additional power? To the physical power she is able to carry the immunities and laws which form the charter. She can appeal to our courts, to the Union, to the fellow-citizens of the government, and the Union. She is stronger in this attitude, is she not?

It is nothing but passion, it seems to me, that can have misled her so far. I will not go into the means by which the people are sometimes misled by leaders; I will not go into the causes that sometimes delude these leaders themselves; but that we have gained nothing, that we can gain nothing, by going into it and sharing with it, seems to me very evident.

Our true policy is to stand by that Union, whose blessings we have so long experienced, so long enjoyed; to stand fast by it until some great political necessity shall drive us from it. In the Union we know that we have found safety; there our fathers found safety, and these fathers constructed it for our safety. All experience has taught us that we have the best government in the world. Abused and maladministered as it frequently is, is

it not, at last, the best government in the world? Is there any better? Where else does liberty appear as she does here? She appears somewhere in the little republics of the old world, but so insignificant in their numbers as not to be noticed, and of course to be spared by the great despots and the great emperors of Christendom. There she may be said to exist in her rustic simplicity, in tatters and rags. Here she exists in all her splendor, with a diadem on her head. Here is a great republic that has avowed allegiance to her. She, as a queen, beckons to all the world, and signalizes a people that know how to govern themselves—a people that have entitled themselves to this liberty.

This has been the fruit of this Constitution and this Union by which I advise you to stand firm. Stand true to it, I say, until some great political necessity drives you from that post. What are we now to do? A portion of our countrymen are speculating on distant consequences. They are resolving that we will quit our place of safety and go into an experiment,—join the new revolutionary government,—and they say that Virginia and other States will follow. Then they say there will be no war, and then we will be in a better condition to reconstruct. This is all a fallacy from beginning to end. Can we trust our speculation upon causes that are so dependent one upon another, upon contingencies that lie in the future? Can we come to distant conclusions of that sort? No. The safe way is to do that duty which is nearest to you. Do that first. You can see that. We have not the gift of prediction. This argument of speculation, founded upon distant contingencies, founded upon inferences, and from inferences as to what may follow from the complication of causes, that is least of all to be relied upon. There is no safe logic in it. Every man can see and understand the duty that is next to him, and should not attempt to confound his conviction by endeavoring to comprehend objects beyond his reach.

What is our nearest duty? You have been told to maintain the Constitution of the United States. It has never done you wrong, never despoiled you of your property, never taken from you a minute of your freedom or your liberty during your whole lifetime. Are you to abandon that upon a contingency; are you to go abroad for an experiment; is that the next and wisest step to be taken? Is not the most immediate duty to stand fast in your fidelity to that tried government, until some necessity shall force you from it? When that necessity comes, it will need no argument. Necessity requires no speculation, no argument. When that great political necessity comes which alone would justify us in sundering this glorious Union, it will



It will speak for itself. It will speak for itself in language not to be misunderstood. We need not wrangle, or debate, or quarrel about it. It will tell us all with its imperious tongue. It will wave us to obedience. Conform to it we must. Is that the case now? No! Why, then, be in a hurry to abandon this good government which has sheltered us so long? Why commit ourselves to the cold and inclement skies of an untried country, an untried winter? Is that wise? Is that the prudence of a great nation? Excitement, animation, and impetuosity may prompt us, and some may be lured by the very danger of the experiment; but that is not the part of wisdom; that is not the part of that wisdom that ought to govern you and to govern a community,—that wisdom which is of a deliberate, reflecting mind. You are to divest yourselves of these passions when you come to decide such a question. Let me ask you, Was ever such a question submitted to a people before? Here are thirty millions of people, constituting the greatest, the freest, and the most powerful nation on the face of the earth. Is she to fall down in a day? Are we hastily to go off—to fly from all the greatness we have inherited and acquired, and madly, wildly seek in the wilderness an experimental government, and substitute it for the better one we now enjoy?

The moment we are divided, what are we? Before all the nations of the earth our greatness is given up. Is there any one of you, any one whose heart swells with pride and love of country, that would not mourn over the slightest diminution of the greatness of his country's power? We experienced the haughtiness and superciliousness of a haughty nation's prince when we were but a feeble colony, I might say involved in revolution. Now your flag carries respect and fear and love over sea and over every land; it is everywhere hailed with the profoundest respect. When you are compelled to blow from its folds seven of the stars that now adorn it,—when this waning constellation shall show its diminished head,—what will become of that respect, founded in fear as well as in love? What will become of that respect with which it was hailed under a peaceful government? When you go abroad now, and when to the question as to what you are, you answer you are an American, you are treated instantly with more respect than even the proud Englishman. Of all names it is that by which a man would prefer to travel in Europe: It is your country's name that gives you this stamp, this great power. It is that great country whose name never fails to prove a shadow of protection over you. Do you not believe now that foreign nations are triumphing in the division and dismemberment of this great govern-

ment? They feared its example; they feared its liberty; but now they look to you, not as the possessors of a good government founded on liberty and on principles which might be to them a dangerous example, but to cite you as an evidence that all popular government is a delusion. "Men are not capable of governing themselves," they say, sneeringly, "and the people of the United States are showing it. They live in a country that reveres power. They had all sway and all dominion, yet you see, by party controversy, and the little exasperations that spring out of it, this great government is in an instant exploded under the madness of party. In six months that proud empire, reaching to the skies, stretching its arms over the world, has fallen to the ground. They are an evidence that man requires kings and despotisms to govern him,—that he cannot govern himself." You, the proud nation, are now cited as an example of the impotency, the incapacity, of mankind for self-government,—to show that your boasted liberty is nothing but the exhalation of fancies, having no power, no strength, no capacities. These are the consequences that will accrue from a dissolution of the Union.

Let us try, then, to bring the seceders back and reform them. Here is a government formed, all its laws and institutions perfect. Those who have left us have but to step in and take possession of the mansion of their fathers. By standing fast by the Union, and showing the seceders that there is no probability that we will unite with them, and if the other loyal slaveholding States will show the same disapprobation of their course, will that not have the effect of checking the career of this revolution? Won't its tendency be to make them think of returning to their brethren who are endeavoring to persuade them back by tokens of love and affection? When they see we will not follow, won't they return to us?

That is our best policy, if we want to effect the reunion of the seceded States. It is not our policy to increase the evil by joining them. Will it be more difficult for them to come back alone than if six others joined them? Won't that put farther from us all hopes of a reunion? It seems to me that every view, every argument, is capable of demonstration that the course of wisdom and policy is for us to stand by the Union. It is better for us for the future, better for the future of the country. By showing to our erring brethren of the South that we will not go with them,—by showing them our fixed opinion that their experiment must prove a failure, and that they can expect nothing like encouragement from us,—will that not have a tendency to bring them back? I think it will.

Upon an occasion not unlike the present, ten years ago, Mr.

Clay stood near the spot which I now occupy. The circumstances of the times were then not altogether unlike what they are now. He stood here in 1850. In 1848 the storm was gathering as it has now gathered. Great apprehensions were entertained in the country that it would terminate in disunion. Mr. Clay went to Congress in 1849. He brought forward a series of compromises in 1850 and had them passed. That pacified the country and preserved the Union. In 1850 he came here, and in this legislature he delivered an address. The storm had then passed by, but he spoke to them with a prophet's fire, and with all a patriot's concern of the character of the Constitution of their country and the value of this Union. He said, "I have been asked when I would consent to give up this Union. I answer, Never! never! never! And I warn you, my countrymen, now, if, as things seem to tend, this country should be divided into a Union and a Disunion party, I here, now,—no matter who compose that party,—declare myself a member of the Union party. Whether it be a Whig or a Democrat that belongs to the party of the Union, there I subscribe my name; there I unite my heart and hand with that party." How would he answer the question, What shall we do? Shall we quit this Union now and go off upon the experiment of our brethren of the South? What would he answer who then answered as I have stated?

I say, then, it would be wisdom in us never to consider the question of dissolution. It is not a question to be debated; it is not a question to be settled upon policies or arguments. You know the fruit of that tree is good. Stand under it. Feed upon its rich fruits as you have done until some great necessity is upon us; until a necessity like that by which our parents were driven from Eden, shall drive you from it. Then go; it will be time then, and that necessity will be your justification. There is another authority still more venerable than that of the illustrious man whom I have mentioned,—I mean General Washington. Do you believe he was a wise man? What did he tell you of the value of this Union, and of your duty to maintain and uphold it? Not merely argumentative devotion, ready to argue yourselves in or out of it on occasion; he told you to have an immovable attachment to the Union; never to think of abandoning it. Stick to it; fight for it; fight in it. If your rights are disturbed, maintain them, if that desperate extremity should come; but that desperate extremity is not to be apprehended. It may occur for a short time. Wrong and oppression may be practiced for a short time. Bad rulers may oppress you as they have oppressed others. You may have a mischievous President and an ignorant and injurious Congress.

All this may occur, but all this, in the wisdom of the Constitution, is swallowed up in the general good. That same Constitution, which, through the infirmity of human nature, necessarily subjects you to those evils, gives you the power of redressing them at short intervals of time; and he who cannot, for the perpetual good, bear such evils for a short time does not deserve to be a member of a good government. You have the opportunity of redeeming that government by frequent elections of a President and Congress. If you permit a repetition of a maladministration it is your fault. You have the remedy, and it is your fault if you do not apply it.

Gentlemen, the government is in a bad and dangerous condition. Whether it shall fall to pieces and become the scoff of the world, whether our ruins are all that shall remain to tell our story, is the question now to be determined. I believe in the people more than I believe in governments,—more than I believe in Presidents, in Senators, or in Houses of Representatives. I do not say that to flatter multitudes. I say it because I believe in the intelligence of the people. I believe in the public virtue of the people, whatever may be said to the contrary. Though in many things many people act a little unworthy of the dignity of freemen, still, when I look at the majestic body of the people, I find that there is a wisdom, a generosity, and a public virtue that will not allow this country to be trampled under foot or to go down to ruins. They will extend their hands from the North to the South, and from the South to the North, in fraternal sympathies. I do not believe they will fight upon any cause that yet exists. I believe they will not permit their rulers to maintain any petty platforms to destroy a great country. The Chicago platform—a thing no bigger than my hand—to be set up, like an idol of old, and worshiped, and a great country like ours, with all its millions, sacrificed upon its altars—the people will not allow that to be done. They are not platform-makers. Their country and their God is what they are for. They are our fellow-citizens, and they will save us. This may be a superstition, but I have it, and it comforts and solaces me. You are a portion of that great body, and will you do your part?

My friends, these remarks are desultory. I have not pretended to sketch the sad history of these events or to relate them in their detail. I have not attempted to discuss all the probable consequences of abandoning or standing by the government of this Union. I have simply satisfied myself by saying that to join the new government would be nothing but a speculation. To stand fast where you are is to perform the duty which is nearest you, and within your clear conviction. That

is the course I have recommended. What have you done? Are you not pledged to this course? What has old Kentucky's course been? You sent some years ago a piece of Kentucky marble to be wrought up into the structure of that magnificent monument to the Father of his Country; now unfinished in the city of Washington. That was your tribute to the patriotism and the great name of that unequalled man. What did you cause to be inscribed upon it? Let me remind you. Upon the stone are engraven these words: "Kentucky was the first State to enter the Union after the adoption of the present Constitution, and she will be the last to leave it." This is the testimony engraven by your own order. It is engraven upon the marble. It stands a part of the great monument to the memory of Washington, where all the world may see it. While Washington is adored as the founder of the Union—the founder of his country—in that holy keeping is this monument of recorded rock in which you say you will be the last to leave the Union.

Now, Mr. Speaker and gentlemen, when you have examined in every material point of view, in the view of every material interest, this question as to the policy and course Kentucky ought to pursue; when you have found them all, let me say that I think your judgment will find it satisfactory not to remove from the Union. But suppose you did not arrive at that satisfactory conclusion, is there not something in the stability which marks the manhood of old Kentucky? Here she stands upon her own native grounds, here she stands by that flag under which she has often fought, and stands by that Union that she has sworn to maintain. Is there not a sentiment that you feel in your heart that, however politicians may reason, policy ought to sway this matter? There is a great deal even in doing wrong when you do it in pursuance of a sense of fidelity and honor—a sense of patriotism. Which of you, if your child is to read the history of this period, if it be our sad fate that our country now is to perish, and he is left to read only the mournful history of its fall, how would you rather it would stand in that history—that Kentucky in the tumult of this revolution was led away, led away from her colors and her Constitution, and joined in the sad experiment of a Southern Cotton States republic?—that she sundered herself from the parent government, which was broken into fragments, and helped to form little governments which soon consumed each other?—or that old Kentucky was left, when the land had been swept by secession and revolution, and nothing was left of the Union, Kentucky alone was seen standing upon the field which revolution had conquered,—standing alone, like a stalwart, un-

conquered old warrior, with the flag of his country in his hand, standing by the falling column,—that the last scene of your ancestor should leave him sitting like Marius upon the ruins of Carthage, mourning the melancholy and disgraceful fall of his own once glorious country? Where would you rather your ancestor should be presented in history—as sliding off into revolution and secession, making the experiment of the new republic, or see him standing unconquered and alone, with the stars and stripes in his hand, or falling nobly, and faithfully, and devotedly with the Constitution of his country? I think there is not one of us that would not prefer our ancestor to take that course. I know that we sometimes would be willing that ancestors would pursue courses that we are unwilling to pursue ourselves. There is hardship, difficulty, and danger about it that we would rather avoid, provided we can have, even through an ancestor, the hereditary glory of acting such a self-sacrificing part as that.

Mr. Speaker, I have occupied much more of the time of this enlightened body than I intended. In conclusion, I will only repeat my acknowledgment for the great many honors you have conferred upon me. They will make my retirement honorable, peaceful, and happy, and will revive recollections continually of your kindness and of that confidence which you placed in me. I have been a long time in the service of my country. Here, sir, was the earliest scene of my political life. Like you, and the youngest among you, I was once upon the floor of this house, endeavoring to serve my country, as you are. For many long years, in one position or other, I have lived. I ought to retire. The time has come. I have wished for it. You have made the way to that retirement dignified and honorable. With all my heart I pray to that Providence which has been as it were a shield over our country so long, that you may be made the instruments of preserving it and saving it through all the great emergencies and the great perils through which it has now to pass, that by your fortitude and courage you will uphold the principles of your government, by your wisdom and persuasive policy bring back to us the friends and the countrymen we have lost. We do not love them the less because we love our country more, and would preserve the Union and the Constitution under which we live and hope to live. May your wisdom be so crowned with success that you will bring us out of these tribulations to peace and to the security for which we now struggle.

(A. Belmont to J. J. Crittenden.)

NEW YORK, December 26, 1862.

MY DEAR SIR,—Please accept my thanks for your compromise resolutions. I have yet to meet the first conservative and Union-loving man who does not approve of them and consider them an efficacious, if not the only, remedy which can save the country from destruction. Your patriotic course is commended warmly by the good men of all parties; and though your noble efforts may prove of no avail against the sectional fanaticism conjured up by designing politicians, the lasting gratitude of every American citizen, who has the greatness of his country at heart, is due to your statesmanlike stand in reference to the Union and the Constitution. I am afraid that no human power can stay the evil, since the Republican leaders, by their vote in the Committee of Thirteen, have proved that they are determined to remain deaf to the dictates of justice and patriotism. Will the American people have this great country dragged to ruin by a handful of Puritanical fanatics and selfish politicians? We can only look for help to the conservative spirit of the border States. I trust that prominent leading men, like yourself, will make a direct appeal to that spirit by a convention of those States.

I have the honor to remain, with high regard,

Yours very truly,

AUGUST BELMONT.

## CHAPTER XVII.

1861.

Letters—S. S. Nicholas—Amos A. Lawrence—Mr. Crittenden to his Son George—J. Robertson—Hon. T. Ewing—House of Representatives—Notice of the Death of Stephen A. Douglas—J. R. Underwood to J. J. Crittenden—Letter to General Scott—House of Representatives—Civil War—Resolution offered by Mr. Crittenden—Letter from J. C. Breckenridge to Mrs. Coleman—Mr. Crittenden to his Son George—Letters to his Wife—Sedgwick—Resolutions found among Mr. Crittenden's Papers—Mr. Crittenden to his Daughter, Mrs. Coleman.

(S. S. Nicholas to J. J. Crittenden.)

DEAR SIR,—I have just read the result of Vallandigham's trial. It seems to me that if we do not mean to submit without remonstrance to military despotism in permanency, we ought to do, or rather say, something in protest against this tyranny. If some thirty or forty of our *undoubted elderly* Union men will unite and propose to call a meeting of such Union men of our city as disapprove the condemnation, to remonstrate against its enforcement, and, in order to remove its stain upon our nation, to insist upon the dismissal from our army of Burnside and all the officers of the court concerned in the sentence. If you approve, please telegraph your concurrence. I shall also write to Judge Buckner and M. C. Johnson.

Yours,

S. S. NICHOLAS.

Answered immediately by telegraph that *no good* would come of the suggestion.

J. J. CRITTENDEN.

(Amos A. Lawrence to J. J. Crittenden.)

BOSTON, April 15, 1861.

MY DEAR SIR,—Our Union men here who are volunteering for the defense of the government have a very strong desire to meet in Washington a regiment of Union men from Kentucky. You cannot conceive how great would be the influence of such a movement. Our troops who have just left are not one-half Republicans, and even these are national in their feelings.

Unless something of this sort is done, the war will be purely sectional, and no man can foretell its horrors. The North is



becoming one great army. Every man is for supporting the government at all hazards, and there will be no delay in moving vast masses of fighting-men down toward the border. A half a million can be had within three weeks from this time,—half of them pretty well trained, a quarter very well. Money is offered enough to carry on a long war. The feeling is general that fighting alone can save the government and the country from total ruin.

How sad, then, that the Union men of the border States will not stand up to the principles which they have avowed! Cannot you rally them? Or, if the task is too great, cannot you incite some younger men, who have your spirit, to raise a regiment and come on to Washington? They will be the heroes of the day; and though they can only do their small share to save the capital, they can do infinitely more to save us from a sectional war, and they will be the means of saving Kentucky for the Union.

Respectfully and truly yours,

AMOS A. LAWRENCE.

To the Hon. J. J. CRITTENDEN.

(Amos A. Lawrence to J. J. Crittenden.)

NEAR BOSTON, April 22, 1861.

MY DEAR SIR,—I am so anxious to give you a correct idea of the feeling in this part of the country, at this time, in order that it may influence your action, that I cannot avoid writing once more.

This evening a meeting was held in the little town of three thousand people, in which I reside, where the whole of the male population was assembled. It was voted to enroll every male inhabitant over seventeen years old, and to place the whole at once under daily military drill. A military committee of nine efficient men was chosen, and fifteen thousand dollars placed at their disposal by a unanimous vote. The town never has been Republican, and only one of the nine belongs to that party.

After this was done, the "Star-Spangled Banner" was sung by all, and a few short speeches were made.

One of the speakers alluded to your State, and said, "Though she appears to be neutral, she will not long remain so. When the day of trial comes, Kentucky will stand by the flag, and will sustain the government." Whereupon three rousing cheers were given for "old Kentucky," and then three more for "Crittenden."

This is only an index to the present movement through the whole North. You can form no idea of its unanimity, and of the determination to sustain the government at all hazards and

through all reverses. The chairman of the military committee, a strong Breckenridge man until now, called Mr. B. a "traitor." He added, "This war will last many years, and our sons must be educated for it." And another, also a military man of the same party, said, "Our Southern friends have supposed that Yankees loved gold; but they must be taught that we do not believe in any gold that has not the American eagle stamped upon it, and that we will have no other."

An old runaway negro, who is an influential man in one of the black colonies in Canada, showed me some letters to-day which indicate great excitement among those people, and an expectation to be led down "to see their friends." I asked him whether the border State negroes would run away from their masters,—“Yes, sir,” said he, “they know more about what is coming than their masters do,—the masters know nothing.”

You may take these things for all they are worth. It does seem to me that Kentucky will be saved or ruined just in proportion as she supports or refuses to support the government.

Yours, respectfully and truly,

Hon. J. J. CRITTENDEN.

AMOS A. LAWRENCE.

(J. Robertson to J. J. Crittenden.)

RICHMOND, April 28, 1861.

DEAR SIR,—No man could have more earnestly striven than yourself to compound the feuds, whose increasing fury, already advanced to the stage of a murderous conflict, threatens to involve thirty millions of men in the horrors of civil war. However I may have differed with you, looking from a Southern view, as to the sufficiency and acceptability of the terms of adjustment you proposed, I never doubted that you regarded them as just, or, at least, as preferable to the evils otherwise to ensue, and as the best which could possibly be obtained. The event has proved that, moderate as they were, the ruling faction would be content with none but such as would degrade the South. Wellnigh desperate is the condition to which that faction has reduced the country. The fact now stares them in the face that the *Union is dissolved* beyond the hope of restoration, at least, in our day. Yet they are threatening to *preserve* the Union *by force*. They read the riot act to millions of men, nay, to sovereign States, who are to be *coerced* into friendship by their foes at the point of the bayonet. But, waving all recrimination, not insisting on the absurdity of the idea, or the impossibility of reducing the South to an ignominious submission, or the certainty that their subjugation, *if possible*, would defeat the very object their enemies profess to desire (namely, the preservation or restoration of the Union), by con-

verting States into vassal provinces (in that character alone can they remain or enter into it), let us inquire if there are no means by which the anticipated consequence of our family jars (now an accomplished fact), the separation of the States, may be recognized by the ruling faction at Washington, without deliberately repeating the most atrocious crime, and steeping their hands still deeper in the blood of their brethren. A word from the *long-cared god*, who now holds in his hands (as he imagines) the destinies of the country, would be enough. *He* has only to say, "Let there be peace," and there will be peace. But he and the murderous gang whom he consults already cry "Havoc!" and let slip the dogs of war. And yet the star of hope still twinkles in the clouded firmament. Preposterous-as is the idea of a peaceful union or reunion, there may still be a peaceful separation; and it is to yourself, sir, who, if allowed to do so, I will still regard, notwithstanding the marked difference of our political sentiments, as a valued friend,—it is mainly to you I look for effecting so glorious a consummation. I do not desire that my name should be connected with an effort which you may, most probably, consider utterly idle, and which, should you think worth trying, would be more apt to succeed without it. Before going further at present, permit me to inquire whether it will be agreeable to you to entertain the thoughts which, after much and anxious reflection, have entered into, and taken firm possession of, my mind.

It is proper to say that my appeal to you is wholly without the sanction or knowledge of any constituted authorities, State or federal. It has been suggested even but to two individuals; in the judgment of one of them you would yourself repose great confidence. I have received decided encouragement to make it.

An immediate answer, if convenient, will greatly oblige me.

With great respect and regard, yours,

JOHN ROBERTSON.

(J. J. Crittenden to his son George Crittenden.)

FRANKFORT, April 30, 1861.

MY DEAR SON,—I wrote to you but a little while ago a very long letter, but the uncertain and revolutionary state of the country renders me anxious about everything that is dear to me, and especially about you and Eugene, who are so far off, and who are so immediately in the course of the storm.

It is not so much on account of any *dangers* to which you may be exposed, as because of embarrassments and responsibilities that may devolve upon you in the new and untried circumstances and scenes in which you may be placed:

Many officers of the army and navy have resigned for the alleged reason that they belong to some one of the seceded States, now calling themselves the "Confederate States," and cannot therefore bear arms against them. This supposes they have *no nation*, no national flag, etc. This is assuming a very questionable position at least. But I hope you will never have cause for any such scruple or question in your case.

Kentucky has not seceded, and I believe never will. She loves the Union, and will cling to it as long as possible. And so, I hope, will you. Be true to the government that has trusted in you, and stand fast to your nation's flag,—the stars and stripes,—and do not resign under any circumstances without consultation with me. There have been so many instances of distinguished treachery and dishonor in the army that I would be proud to see you distinguished by exemplary loyalty and devotion to your flag and to your country,—the country that commissioned you. The spirit of disunion and infidelity to the government has spread so far and wide that it may have reached even your distant posts, and infected the minds of some officers. It becomes you to be *vigilant*, very vigilant, and with all your energy and courage, if need be, to resist every attempt at treachery or rebellion against the government. It is my anxiety alone that prompts me to write thus to you.

The state of things in our part of the Union is terrible indeed. Nothing is heard of but war, and the whole country is resounding with the din of preparation and the marchings of troops. God knows what is to be the end! I do not see how the conflict of arms can be prevented. Kentucky is averse to this civil war; and it is now, and I trust it will continue to be, her determination to keep out of the strife, and fighting only in defense of her own borders when they shall be invaded, to occupy the position of a friendly neutral and mediator between the belligerents. All send love to you.

Your father,

Lieut.-Col. GEORGE B. CRITTENDEN.

J. J. CRITTENDEN.

(T. Ewing to J. J. Crittenden.)

LANCASTER, OHIO, June 25, 1861.

MY DEAR SIR,—I congratulate the nation on your acceptance of a seat in Congress. You will do much good there before your term expires,—but do not hasten. Nothing can be done in the way of compromise during the extra session, and an attempt now would do injury in the future; each belligerent would consider his cause injured by listening, if he did at all listen, to the promptings of peace, each would accuse the other of using it as a means of demoralizing and throwing his adversary off

his guard, and each would re-engage in the contest with more bitterness and ferocity than at first. There can be no truce or compromise till the opposites have met in force and measured strength, and the sooner this occurs the better. I write from what I know to be the state of public feeling here. The conservative men who rallied around you last winter would consider this an unpropitious moment for a like effort on your part.

In haste, yours,

Hon. J. J. CRITTENDEN.

T. EWING.

On Mr. Crittenden's return to Kentucky, he was elected to the National House of Representatives, and left for Washington about the first of July.

(From the Cleveland Leader.—Correspondence.)

WELLSVILLE, Wednesday, July 3, 1861.

John J. Crittenden has just passed here on his way to Washington. On being called out, he said: "We are now in the midst of war, and shall probably have a hard brush, but I am confident that our Union will be restored to us, and we shall again be a happy and united people."

(House of Representatives, July 9, 1861. Death of Stephen A. Douglas.)

Mr. Crittenden.—Mr. Speaker, I have but a few words to say. Another of the great men of our country has passed away since the adjournment of Congress,—the honorable Senator Douglas has fallen into the grave. I do not stand, sir, in imagination by the grave of the great senator to utter the language of flattery,—my purpose is not to lavish praises upon his memory. That will belong to the impartial history of his time. When the history of our country shall be written, recorded honors will cluster around his name. The death of Mr. Douglas struck a heavy blow on the American heart, and his memory is embalmed in the hearts of his countrymen. I have witnessed, in the course of my long life, but few occasions when there has been a greater exhibition of public sorrow.

I was well acquainted with Mr. Douglas. We were kept apart by our political differences for a considerable period of the time that we both served in the national councils. But for the last four or five years of Mr. Douglas's life we were associated personally and politically, and I had an opportunity of knowing him well. In all my intercourse with him, of an intimate character, while we agreed in politics and acted together, I found him to be honorable and patriotic, disinterested and noble in his patriotism, and ever ready to sacrifice his personal interests for the good of his country. This I can testify from

my knowledge of his character. Mr. Douglas was a remarkable and extraordinary man. Not favored by fortune in the earlier period of his life, belonging, as I understand, to the humble but worthy class of the mechanic, he raised himself by his own exertions to the high position he occupied. Mr. Douglas's mind expanded with his increasing elevation, and I know of no man now left in this country who is better entitled to the name of statesman than himself. He was honest, generous, and patriotic in all his actions and purposes. He was ambitious, but he sought to attain eminence by public services. There have been times when I thought less favorably of him. But my opportunities of knowing him better enabled me to correct my error in regard to his character, and I speak what I truly believe, when I bear testimony to his great worth. His mind enlarged step by step as he advanced in life, and at a time like this, when surrounded by peril and disaster, his country sustained a severe loss in his death.

I know of no man who might have been more useful in this fearful crisis. There are few men who had so much of the confidence of his countrymen,—but few who combined with it so large a capacity for making that confidence serviceable to his country. His friends must derive a consolation from the fact, that though he died when he had scarcely passed the meridian of life, he died in the *maturity of his fame*. That fame will survive him! May it live long in these halls of Congress to elevate and ennoble the patriotism of his successors in the great councils of the republic. Such a death can hardly be regarded as a misfortune to the sufferer.

We cannot fail, on this occasion, to remember the bereaved wife of Mr. Douglas; but her sorrows are sacred, and we dare not intrude upon her our vain words of sympathy. That good God who tempers the wind to the shorn lamb will console and protect the afflicted widow.

It seems appropriate in this connection to give a paragraph from the eulogy pronounced by Mr. Cox, of Ohio, upon Mr. Douglas, after Mr. Crittenden had taken his seat.

Mr. Cox.—Mr. President, who is left to take the place of Stephen A. Douglas? Alas, he has no successor! His eclipse is painfully palpable, since it makes more obscure the path by which our alienated brethren may return. Many Union men, friends of Douglas, in the South heard of his death as the death-knell of their hope. Who can take his place? The great men of 1850, who were his mates in the Senate, are gone, we trust, to that better union above where there are no distracting councils,—all—all gone! All?—no, thank Heaven! Ken-

tucky still spares to us one of kindred patriotism, fashioned in the better mould of an earlier day, the distinguished statesman who has just spoken (Mr. Crittenden), whose praise of Douglas, living, I loved to quote, and whose praise of Douglas, dead, to which we have just listened, *laudari a viro laudato*, is praise indeed. Crittenden still stands here, lifting on high his whitened head, like a Pharos in the sea, to guide our storm-tossed and tattered vessel to its haven of rest. His feet tread closely upon the retreating steps of our statesman of the West. In the order of nature we cannot have him long. Already his hand is outstretched into the other world to grasp the hand of Douglas! While he is spared to us, let us heed his warning; let us learn from his lips the lessons of moderation and loyalty of the elder days, and do our best, and do it nobly and fearlessly, for our beloved republic.

(J. R. Underwood to J. J. Crittenden.)

IRONWOOD, July 13, 1861.

DEAR CRITTENDEN,—Two reasons have delayed my answer to yours of June last: first, my desire to see the President's message before I wrote; and second, a multitude of pressing engagements. I doubt very much the policy of proposing any measures of pacification and reunion to the Confederate States at this time. I am inclined to think that the Southern people would misinterpret the motives which induced it, and take it as an evidence of weakness on the part of the government, *if adopted*. If rejected by Northern votes, then it would be used as a means to create a feeling of hostility in the South towards the North and a greater distrust of the ultimate security of slave property. The *South* having commenced the war, and the *North* having accepted it, and both parties being now in a state of the highest excitement,—nothing thought of but *battles, victories, and defeats*,—men are not in a condition to think calmly or act wisely in adjusting matters. A few hard-fought battles between large divisions, instead of scouting-parties, and *heavy losses* on both sides, will place both parties in a better condition to listen to temperate and sensible suggestions. There is nothing like human suffering to cure the distempers of rage and folly. The tears of widows and orphans are very efficacious in extinguishing the flames of war. Burdensome taxes, and want of money to pay them, will make the people reflect. These things will induce the Southern people to inquire whether there was any sufficient reason to induce them to begin the war or any reason to continue it. These inquiries will be negatively answered in their own minds; and when *that* is done, they will accept any reasonable terms of pacification. At present, their pride,

their hopes of success, and the ardor with which young men flock to their standards, will induce them to reject promptly, if not indignantly, any proposition to reunite them with the Northern States under the old national Constitution. A resolution, declaring in substance that the majority of the people of the *non-slaveholding* States do not intend to carry on the war against the people of the South with a view to abolish slavery in the States where it now exists, and that all imputations to that effect *are false*, would have a soothing and salutary effect, especially if it could be adopted by a Northern vote *exclusively*. If, in connection with the above, another resolution could be adopted, by Northern votes, to the effect that the institution of slavery and its existence depends *entirely* upon the local laws of the States, with which the national Congress has nothing to do, I think much good would result. A third resolution might be added, declaring that while the war would be prosecuted for no purpose of interfering with the institution of slavery, it would be prosecuted with the utmost rigor and with all the powers of the government until *treason* was vanquished and the world convinced that we had a government strong enough to protect itself and all law-abiding citizens in the enjoyment of all their rights under the Constitution. These resolutions, skillfully drawn (and none can do this better than yourself), would, if passed by very decided majorities of Northern votes, be worth more to the cause of Union than a dozen bloody victories. Now suppose you prepare these resolutions, and then ascertain in caucus *or otherwise* whether Northern men will pass them. If so, let a Northern man offer them, or offer them yourself, *declaring* that they will be satisfactory to you and your friends, but you had no right to vote upon them, that you offered them to afford Northern men an opportunity of expressing their sentiments in relation to the principles and motives which would govern them in the prosecution of the war, and that the assurances given in the resolutions would be very grateful to the people of Kentucky. Unless you can *pass* such resolutions, they *ought not to be offered*. After having invited suggestions, you will pardon the liberty I have taken. I have no opposition to the legislature.

J. J. CRITTENDEN.

Truly your friend,  
J. R. UNDERWOOD.

(J. J. Crittenden to Lieutenant-General Scott.)

HOUSE OF REPRESENTATIVES, July 14, 1861.

DEAR GENERAL,—My friend and colleague, Hon. James S. Jackson and myself, would, if permitted, visit the lines of your army in Virginia, and especially the encampment of General



McDowell, on to-morrow. Can you send us a permit to do so, *unconditional*, and without requiring of us any pledge, oath, or imprecation upon ourselves, such as I have seen indorsed upon most of permits or passes that have been shown to me? If such an indorsement is deemed indispensable in our case, I shall not complain, but I will not go, though I have not the least intention or expectation of ever being anything else than the best of Union men, and I take it that my friend Jackson is of the same mind.

Lieut.-Gen. SCOTT, U. S. Army.

I am yours,  
J. J. CRITTENDEN.

(House of Representatives, July 19th, 1861. Civil War.)

Mr. Crittenden.—I ask the unanimous consent of the House for leave to present the resolutions which I send to the clerk's desk, and to have the privilege of making a few remarks on them before they are pressed to a vote. I desire that they may be considered to-morrow.

*Resolved by the Senate and House of Representatives in the Congress of the United States*, That the present deplorable civil war has been forced upon the country by the disunionists of the Southern States, now in revolt against the constitutional government, and in arms around the capital; that in this national emergency Congress, banishing all feeling of mere passion and resentment, will recollect only its duty to the whole country; that this war is not waged, upon our part, in any spirit of oppression, nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution and to preserve the Union, with all the dignity, equality, and rights of the several States unimpaired; that as soon as these objects are accomplished, the war ought to cease.

(July 22d.)

Mr. Crittenden.—Mr. Speaker, I had the honor on a late day of offering a resolution on which I desire a vote of the House. I now offer that resolution, and move the previous question upon it.

Mr. Holman.—Mr. Speaker, by unanimous consent I hope the gentleman from Kentucky will be heard.

Mr. Crittenden.—I rise for the purpose of asking of the House the great favor of their unanimous consent to allow me to make an explanation of that resolution.

Mr. Burnet.—I call for a division of the resolution. I desire a separate vote upon the first clause,—that does not destroy the

residue of the resolution and leaves a substantive proposition. The question was taken, and first clause of resolution agreed to: yeas, 121; nays, 2,—Burnet and Reid.

The question recurred on second part of resolution, and decided in the affirmative: yeas, 117; nays, 2,—Potter and Biddle.

It will be seen by the following letter from Gen. J. C. Breckenridge that he considered these resolutions as forming Mr. Crittenden's crowning title to fame.

(J. C. Breckenridge to Mrs. A. M. Coleman.)

LEXINGTON, KY., April 16, 1869.

MY DEAR MADAM,—I only returned to Lexington a day or two ago, and found your note of the 25th ult. I hope my absence will sufficiently explain the delay in answering it. Nothing could give me greater pleasure than to furnish you letters, speeches, etc. of your illustrious father, to aid you in the preparation of his biography; but I fear that I can give you little assistance in this respect. His speeches are accessible in the public records of the country, save a number delivered before popular assemblies and at the bar, which were not reported, and which no man can now reproduce. It is possible that I may have two or three letters from your father, written to encourage me when I commenced life, and among them I expressly recollect one written just before I removed to the Iowa Territory, in which he predicted, to my delight and astonishment, that he would one day welcome me as a member of Congress from the West. My papers are very much scattered, but as soon as I can collect them, I will make an examination and send you, with pleasure, whatever I may find likely to interest you. I hope you will permit me, my dear madam, to say that, in my opinion, of all your father's titles to fame, the crowning one was his memorable resolution of July, 1861, to which, I have heard, he held fast to the close of his life.

I am, very respectfully and truly, your friend and obedient servant,

JOHN C. BRECKENRIDGE.

Mrs. A. M. COLEMAN, 131 North Charles Street, Baltimore.

(J. J. Crittenden to his son, Colonel George B. Crittenden.)

WASHINGTON, July 19, 1861.

MY DEAR GEORGE,—I have postponed writing to you till I could understand things more perfectly, and inform you confidently. From the vast number, spirit, and efficiency of the Federal troops, from the determination of Congress, and the

still greater supplies of men and money it has authorized, I cannot but think that the army of the Confederate States must be overwhelmed. It appears to me that this result will be speedy and inevitable. Within a few days past the Federal troops, in this vicinity, have been put into active motion, and are marching upon Beauregard at Manassas Junction, and are probably already engaged with Beauregard's troops. Various reports are reaching this city hourly; they are generally unfavorable to Beauregard, and I suppose disaster will finally befall him, though a report has just been brought to the House that the "Federal troops have been badly repulsed in their attack upon Manassas Junction." This may be true, but it can have but little effect upon the general result.

The cause of the secessionists seems to me to be altogether hopeless, and all who join them will effect nothing but a useless sacrifice of themselves.

I will write you again when I have more time, and hope to be at home to see you in about a week.

Your father,  
J. J. CRITTENDEN.

Col. G. B. CRITTENDEN.

(J. J. Crittenden to his wife Elizabeth.)

WASHINGTON, July 19, 1861.

MY DEAR WIFE,—I have of late received almost daily letters from you, and my heart rejoices in such evidences of your constant affection. I have, however, been so much engaged that I have not been able to reply to those letters as regularly as they came. I have this morning offered a resolution in the House which I regard as of great consequence, and which, I have every reason to believe, will be approved and passed by a large majority.

We shall adjourn some day next week, and in time, I hope, for me to be at home by this day week. The very thought quickens my pulse!

I am writing in the House, and must conclude.

Farewell, my dearest wife.

Mrs. ELIZABETH CRITTENDEN. J. J. CRITTENDEN.

(J. J. Crittenden to his wife Elizabeth.)

CAMP DICK ROBINSON, October, 1861.

DEAR WIFE,—I arrived here the day I left home, and have enjoyed myself very much; I have indeed been treated like a major-general. The most troublesome time I have had is now with this steel pen. There is no news here. I am disappointed in my hopes of active movements. There will be no more here

soon, and I shall be disappointed in not witnessing an active campaign. I shall start for Colonel Garrard's camp to-morrow morning. It is about forty miles distant. I do not expect to stay with him more than a day, and can do nothing then but return home. Mr. Bryant is a most agreeable companion. I am well and cheerful.

Your husband,  
J. J. CRITTENDEN.

(J. J. Crittenden to his wife Elizabeth.)

LANCASTER, October 12, 1861.

MY DEAR WIFE,—You see by the date where I am. I quitted the camp yesterday evening, and came this far on my way to Colonel Garrard's camp, on Rock Castle River. It is only about thirty-four miles distant. I am on the point of starting to it, and expect to reach there by night or early in the morning. We shall probably not remain there more than a day or two, and then turn our faces homewards. There is no danger in the way.

Take care of yourself, my dearest, and believe me always your affectionate husband,

J. J. CRITTENDEN.

Mrs. ELIZABETH CRITTENDEN.

A short time before his death, Mr. Crittenden was speaking in the House of Representatives on the subject of the employment of slaves as soldiers by the Romans; he was interrupted by Mr. Sedgwick, of New York, who made some offensive remark about Mr. Crittenden's age, and the propriety of his retiring from public life. I find among Mr. Crittenden's papers a memorandum of the following reply to him. I think all will concur with me in thinking the rebuke administered by Mr. Crittenden *well merited*.

(Crittenden to Sedgwick about Mr. Crittenden's age.)

The member from New York (Mr. Sedgwick) has admonished me of my age; tells me I am lingering too long upon a scene of action for which I am unfit. Perhaps the gentleman means to be very good, and I will take the subject into consideration; but does the gentleman think that it was either polite or becoming in him to utter such a reproach? Let *him* consider that! He is, I am told, a gentleman of ability and education. If he should be continued here in the service of his country, *even* until he is as old as I am, I hope he will in all

*that long time* find no one so rude as to address such a reproach to him.

The member, I hope, will pardon me for what I have said, and be more of a gentleman hereafter; will never be tempted by the vanity of repeating a little poetry to be misled again into such rudeness. I now forgive and dismiss him.

The gentleman from Pennsylvania (Mr. Stevens), in replying to some remarks of mine a few days past, understood me as meaning to assert that among civilized nations there were *no instances* of their employment of slaves as soldiers in war; and he proceeded to instruct me on the subject by referring to a brief history of the Romans, by Mr. Arnold, showing that the Romans had so employed their slaves in the war with Hannibal.

The gentleman might have spared himself this trouble. I knew that there were such instances; but I also knew that they were treated by Roman historians as a reproach to their countrymen and to the name of Roman. I had myself, but a few days before, when this topic was under discussion, admitted that there were such instances; but they were so few, comparatively, and so insignificant, that they should be regarded as exceptions to the *general rule*. In the remarks I made some days afterwards, I merely stated the *general rule*, and contended against the employment of our negro slaves as soldiers in our present civil war. To repeat the known fact or exception was unnecessary; but upon that omission the member has made this grave display of his historical learning. The honorable gentleman represents and quotes me as saying that "I would not fight for slaves," and pronounces such sentiments as unworthy of me, etc. This is a grave imputation. What was the sentiment which I did in truth express? *This*, and nothing more than this: That I would not carry on a war for the abolition of slavery. The sentiment which this implies is the sentiment which the member denounces as "unworthy of me," etc. I avow the sentiment boldly! To the gentleman and those who agree with him I must leave the task of prosecuting an abolition war against their own race for the liberation of the slaves held by them under all the sanction of constitution and law. I know these gentlemen and myself differ widely on this subject. This war was commenced for the restoration of the Union. The honorable member is now for prosecuting it for the abolition of slavery. Till that is effected, he is determined to carry on the war to the extremity of exile or death to all people of the South; nor is he for limiting the abolition of slavery to the punishment of rebels,—he proposes the universal abolition of slavery in the United States.

(J. J. Crittenden to his daughter, Mrs. A. M. Coleman.)

November 11, 1861.

MY DEAR DAUGHTER,—Since I parted with you at Louisville, I have received your very affecting letter. The death of your son Crittenden is a source and cause of grief to us all, and especially to you, his mother. The mother's tears, on such occasions, are holy offerings of the human heart. Nature not only allows but exacts them. The same Providence that causes our afflictions makes even our tears instructive, as well as consolatory. The mother cannot but mourn for the loss of her son, but she should not indulge and cultivate that feeling unto *despair*, nor by willfully dwelling upon it and pursuing it, endeavor to prolong and aggravate it. This can avail nothing to the dead, and it is wrong and injurious to the living. The dead are in the care of God alone; fathers and mothers can serve them no longer. But they can serve and comfort the living, and it is their duty to do so, and to resist the vain grief that would withdraw them from that duty. You, my daughter, are surrounded by interesting children, worthy objects of your care and affection. Will you neglect or forget this in the indulgence of a vain grief? You owe and I know you feel for them all a mother's duties and affections; should you not for their sakes struggle, struggle against your own griefs,—that their young hearts may be consoled and again made happy by the recovered light of your own countenance? Will you, for the *selfish indulgence* of your sparrow, continue to turn upon them looks of sadness and despair, which must darken their morning of life? Think of these things, reflect upon your *duties* rather than upon your sorrows. This will be best for both you and your children. Exert yourself, my dear daughter, to divert your thoughts from your loss to the great responsibilities which rest upon you. I sympathize with you most sincerely, and I would not have you believe for one moment that my natural affection for your son or my sorrow at his death was at all diminished by the party or course to which he had attached himself, and in the service of which he died. I thought it was an *error* on his part, but it did not affect my attachment. From what I have said on this sad subject, you may infer that I would advise you against your intended visit to your son's grave in Florida. The wretched condition of the country is tearing down everybody and everything, and property must become more and more depressed. You ought, therefore, to postpone purchasing as long as you can.

Your father,  
J. J. CRITTENDEN.

Mrs. A. M. COLEMAN.

## CHAPTER XVIII.

1862.

Letter of C. S. Morehead to Mr. Crittenden, written at Fort Warren—Letter from Clifton House—Reply of Mr. Crittenden—Letter to Mrs. Coleman—In the House, Confiscation—Opposition to the Investigating Committee—Extract from National Intelligencer—Letter to George D. Prentice, Esq.

(C. S. Morehead to J. J. Crittenden.)

FORT WARREN, December 15, 1861.

MY DEAR SIR,—I addressed you a letter from Fort Lafayette early in the month of October last, to which I have received no response. If you have ever felt a true and sincere devotion, personally and politically, for another, and had been placed by the strong hand of power in a loathsome prison, you might form some conception of my humiliation at this neglect and apparent indifference, and assuredly, if it were intentional, you would not now be troubled with this. From what I have heard, however, from home, I am led to believe that you never received it, and I should be inexpressibly relieved to know that such was the fact. You doubtless know the circumstances attending my arrest. Dragged out of bed after midnight by the marshal of my own State, with a band of sixteen armed ruffians, with a warrant charging me with giving aid and comfort to the enemy, and directing him on its face to take me before the nearest judge, I was forcibly carried across the Ohio River, in utter disregard of his duty and his official oath, and from thence, either by executive or ministerial decree, stigmatized, without a hearing, as "bearing the mark of public execration." I had indulged the vain delusion that the law still possessed some sanctity, and that when I became its prisoner, I was surrounded by such a panoply as would protect me completely from anything but its own penalty.

From the day of my transfer from the hand of the law to that of power, I have been confronted with no charge, and I declare solemnly that I am utterly ignorant of the charge against me. It is true, as every one knows, that I have expressed my opinions freely and fearlessly, as I thought a freeman had the right to do. I embarked with zeal in the political contest of August last with the hope of preserving the neutrality of the

State, as I understood it. When the question was decided by the people at that election, I declined at least fifty invitations to make speeches, and never did make a *public* speech after that time. I attended the Frankfort convention with no other object upon earth but to preserve peace, if possible, in my native State. I did make a short speech while there to a caucus of a portion of the members of the legislature, urging them by every consideration of patriotism to do nothing which could in the remotest degree jeopardize the peace of the State. I have heard that I was charged with complicity in the invasion of Kentucky. This is absolutely and unconditionally false. I knew nothing of it, had no suspicion of any such thing, and was as innocent of any such thing as the child unborn. I have the consciousness of having violated no law, and I bid defiance to the whole world to prove to the contrary. It can only be done by piling perjury mountain high. If my opinions were erroneous, which I have not yet seen them to be, God knows I have been sufficiently punished for them. I have read of prison-life in history and in romance, but I declare to you that I remember nothing which can compare with the inhumanity and loathsomeness of Lafayette. I will not enter into any detail here, but if you had to lie upon fourteen pounds of straw, on a cold brick floor, on a bedtick two feet shorter than yourself, with nothing upon earth but one shoddy blanket that left your shirt black in the morning, and to drink water for weeks filled with visible tadpoles, you would hardly consider it quite as luxurious as our Kentucky penitentiary. One poor creature was made a raving maniac, and the lieutenant of the garrison insisted that he was, to use his language, "*possuming*," and put him in double chains. He was afterwards carried to some lunatic asylum. I am glad to be able to say that we have met with nothing but kindness here by all the officers having charge of us. The prison was unprepared for our reception, but we were allowed to procure for ourselves such comforts as we chose, but if ever you should be so unfortunate as to be imprisoned,—which I pray God may never be the case,—you will understand that no comforts or attentions can ever make up for the privation of personal liberty, or remove the feeling of degradation at being in the power and at the mercy of others. I have thought that I held my liberty by deed in fee-simple from God, and I feel that there is just as much right to take my life as to deprive me of my liberty. I fear that there is some degree of personal feeling on the part of the Secretary of State, and I would be glad that you would make your appeal to the President himself. He knows me intimately. The opinions I now entertain I expressed to him personally in clear and decided terms. If I am wrong, I am



honest in entertaining them. I am mistaken in him, if he would not believe me when I say that if released I would take no part in the unhappy troubles which are rapidly bringing to ruin both sections. I cannot take an oath of allegiance. The only reason I need to give to you for this is that my whole estate would thereby be subject to confiscation. This estate, in ordinary times, is worth nearly, if not quite, four hundred thousand dollars. I have but little elsewhere. Those who are most regardless of the obligations of an oath are the readiest to take it. My experience here is that those who have been most violent, and who have actually committed acts of hostility against the government, have uniformly got out. I have made no application to any human being to interpose in my behalf. I apply now to you in order to make some specific propositions:

1. The manly way to treat me would be to release me unconditionally, and to dismiss the marshal from office for the prostitution of its functions.

2. If this cannot be done by the President from his own sense of justice, I then ask a release upon my parol that I will take no part in this war. I could give you the names of more than a dozen who have been thus released. I should be allowed to visit my plantation upon the simple score of humanity to my slaves. It is in a sparsely-settled country, and my parol should be considered as extending there.

3. If neither of these propositions can be allowed, I then ask for a parol to spend the winter in New York. If the object is not to punish me, I suppose that this may be allowed. It costs me ten dollars a week to live here, and I can live at less cost either in New York or in Europe. I may add that I desire to have a surgical operation of a delicate character performed, which cannot be done in prison.

4. If none of these things be allowable, I propose to go to Europe.

If I am, however, to be retained here, I must ask the favor of you to obtain the specific charges against me, and a copy of the order for my arrest, or for my imprisonment, if there were no order for my arrest.

But I cannot allow myself to doubt for one moment that you *can* procure my release upon my proposed parol, if you demand it in the proper way. I am perfectly sure if our positions were reversed that I could and would do it for you. Why talk about restoring the Union, and at the same time trample under foot the personal liberty of the citizen? But I have already made this letter too long. Pardon me for writing it in pencil. We have seven persons in a room fifteen by twenty feet, and it is

difficult at any time to write, but this evening all the pens are employed, and I am compelled to take to the pencil.

With kind regards to Mrs. Crittenden, I remain very truly your friend,

C. S. MOREHEAD.

Hon. J. J. CRITTENDEN.

(C. S. Morehead to J. J. Crittenden.)

STATEN ISLAND, NEW YORK, Feb. 23, 1862.

MY DEAR SIR,—I received your letter of the 16th inst., and thank you for it. I rejoice to have it from yourself that I did you injustice in supposing that you were indifferent to my fate. I confess that at one time I felt that such was the case, and made some such intimation to Judge Brown, but to no other human being on earth. I felt that the letter which he wrote, and you signed jointly with him, if delivered, would have placed me in a position of humiliation and degradation. I knew well that nothing could be further from the intention of either of you; but I knew also that your signature to a letter written by another person, even if just such a letter as you would have written yourself, would probably do me more harm than good. I may have been altogether wrong about it, but it produced that feeling on me, and under its influence I wrote I scarcely know what now, but I suppose what you attribute to me. Judge Brown, however, wrote to me, assuring me that my supposition was altogether erroneous, and I immediately addressed a letter to you, which it seems you never received, in which I expressed my deep regret that I had done you that injustice. There were in it bitter denunciations against those who had made me the victim of their lawless oppression, and I suppose on that account it was sent to Washington. They are welcome to it. It was not a hundredth part as strong as the deep and undying feeling that will forever rankle in my heart. Nearly all my wife's letters to me were sent to Washington, and were usually about fifteen days in reaching me. The post-mark of Washington is still on the envelope. About one-half of my own letters have never reached their destination. When I could hear nothing from you, I felt that I was indeed abandoned. As far back as I can remember I was conscious of never having entertained towards you any other feeling than that of affectionate reverence, and I felt, as I do now, that I had never done anything which ought to forfeit the regard of any honest man. When my son Frank wrote to me what you said to him, I began to think that my letter to you must have been purloined and never reached you; and, in thinking about it, I concluded that I ought to write again, which I did, very hurriedly, in pencil. If I had supposed then that you

were indifferent to my fate, I most certainly should never have written this last letter. I do not remember what was in this letter, except my propositions for release; I hope nothing but what was becoming and proper. I have made a long explanation, because I feel anxious that you may appreciate my whole feelings in this matter. I have always been devoted to you, personally and politically, and I think that my whole life has afforded some testimony of the truth of the declaration; and I do not think that I ever had a more painful feeling than at the idea of being given up by you in my hour of severest trial. But all this feeling is removed, and I thank God for it.

Now, sir, will you pardon me for trespassing on your time a little longer, to add a few words as to myself? You know that I have always been a sincere and *devoted* Union man. I can say with an honest heart, that I do not believe that God ever placed a human being on this footstool of his more attached to it than I have always been. The Union as made by the Constitution, with a sacred regard for its guarantees, has been with me an object almost of idolatry. When our unfortunate difficulties commenced, I labored with you, if with less ability, not with less zeal and anxiety, to avert the impending calamity. I entertained a firm and abiding conviction, which time has only strengthened, that war between the sections could only result in a final and irrevocable separation, or in the absolute subjugation of the section to which I belong, and the destruction of every material interest belonging to it. I believe, with Mr. Webster, when he said, "I cannot express the horror I feel at the shedding of blood between any of the States and the government of the United States, because I see in it a total and final disruption of all those ties that bind us together as a great and happy people." He adds, "I am for the Union, not by coercion, not by military power, not by angry controversies, but by the silken cords of mutual, fraternal, patriotic affection." Upon my honor, I felt that I would willingly, nay cheerfully, lay down my life at any moment to preserve such a Union as that. I thought I saw, and time has confirmed the vision, "black ruin nursing the impatient earthquake," and the giant Frenzy, as Coleridge has it, "waiting to overturn empires with its whirlwind arm." Under this painful feeling, when invited to an interview with Mr. Lincoln, in company with Messrs. Rives and Somers, of Virginia, Doniphan, of Missouri, and Guthrie, of Kentucky, I ventured to express to him my sense of the dreadful impending danger, and entreated and *implored* him to avert it. I said to him that he held the destiny of more than thirty millions of people in his hands; that if he acted the part of a wise statesman, in avoiding a collision, he would

occupy a place in the future history of his country second only to Washington; but, on the other hand, if he adopted a policy which would lead to war, that the history of his administration would be written in blood, and all the waters of the Atlantic and Pacific Oceans could not wash it from his hands; that the true and wise policy was to withdraw the troops from Fort Sumter, and give satisfactory guarantees to the eight remaining slaveholding States, and that the seven seceding States would, not at once, but ultimately, by the mere force of gravitation, come back, and we should have a safer and firmer bond of union than ever. Mr. Rives pressed the same idea, when Mr. Lincoln said he would withdraw the troops if Virginia would stay in the Union. I took occasion to write down the entire conversation soon after it occurred. The impression undoubtedly left upon my mind was, that the new administration would not resort to coercion. This was still further strengthened by the voluntary pledge of honor of Mr. Seward, in the presence of Mr. Taylor, of Washington, and Messrs. Rives and Somers, that there should be no collision. "Nay," said he to me, "if this whole matter is not satisfactorily settled within sixty days after I am seated in the saddle, and hold the reins firmly in my hand, I will give you my head for a football." These were the identical words used, as I put them on paper in less than two hours after they were uttered. When I happened to mention this conversation to a very distinguished Republican, he denounced him in very bitter terms, and told me that only the night before he, Mr. S., had held very different language to a Republican caucus. I believed what this first-named gentleman told me, and meeting Mr. S. at a dinner-party, at Senator Thompson's, of New Jersey, I intimated to him, remotely it is true, that I knew what he had said at that caucus, and used some pretty strong language towards any man, who, in this crisis, would act a double part. This conversation, sir, was the cause of my arrest and imprisonment. He promised, if I am not totally misinformed, a man in Kentucky that he should be appointed brigadier-general if he would have me arrested. I do not know that the proposition was made thus plainly, but this man was given to understand that my arrest would secure his appointment,—thus verifying the remark of Sully, that "reasons of state is a phrase invented by sovereigns, to disguise the gratification of their personal resentment and other passions."

I may well ask, what have I done to subject me to the oppression under which I have so long suffered? I have said that I did not believe that this Union could be cemented by blood. It is the sincere conviction of my heart still. Mr. Seward has said the same thing, in effect, in as many as two speeches, at least,

and in his foreign dispatches he says, "The President willingly accepts the doctrine as true, that the Federal government cannot reduce the seceding States to obedience by *conquest*;" and he adds, "Only an imperial or despotic government could subjugate thoroughly disaffected and insurrectionary members of the state." It is true that I also denounced the reckless violation of all the most vital provisions of the Constitution. I thought, as I still think, that this was every freeman's right. All that I ever said I embodied in my several addresses to the people of Kentucky. They are all published, and speak for themselves. I believe that they will stand the test of time and of human scrutiny. Whatever I said was before the last August election. I felt that I was a Kentuckian, was proud of my native State, had received the highest honors at her hands, and never, by word or act, indicated the slightest disposition to disobey her constituted authority. On the contrary, when the people decided in August, I refused to make another public speech in the State, stating that I submitted to the will of the majority. I believed, however, as I still believe, that they decided for neutrality,—such neutrality as was indicated by the resolutions of the legislature. I knew of the secret caucus in Louisville, held for the avowed purpose of dragging Kentucky from her chosen position, and I went to Frankfort to try to prevent it. When I spoke of the consequences of this course, it was said that I was *making threats*, when nothing was ever further from my thoughts. I labored honestly, sincerely, and, as God is my judge, patriotically, to prevent civil war in my native State. There was no man in Kentucky more shocked than I was when I heard that the armies of both sides had been brought into the State. I knew no more about it than you did, or the babe at its mother's breast. But it seems that I went South in the latter part of June, and made a speech there. I went entirely upon private business, as I believe you know, and, while at Macon, there was a convention of cotton planters, and I was invited to attend it. I at first respectfully declined, stating that I happened there altogether on private business. Afterwards a committee of gentlemen waited on me, and were so urgent in their solicitations that I yielded and went. I was received in a manner that demanded some expression on my part. I cannot tell now what I did say; but I *know* that the substance of it was the defense of Kentucky's position. This was before a blow had been struck, except at Sumter, and while Kentucky's position of neutrality was recognized at Washington.

I have thus given you a full and candid history of my opinions and declarations. I have done nothing except to speak boldly the sentiments and opinions honestly entertained by me.

I knew of no law which forbid my doing so. I thought that our government was founded on the establishment of those great and cardinal principles which constitute the difference between a free constitution and a despotic power. I labored under what seems to have been the delusion that it was divided into three separate and distinct departments, with appropriate powers confided to each which could not be exercised by either of the others. I did not know that the doctrine of the fathers on this subject had become obsolete, or could be put off and on like an old garment. I had been unfortunately educated in the belief that when the power that makes the law can construe it to suit his interest, apply it to gratify his vengeance, and execute it according to his own passions, there would be wanting no other features to complete the picture of absolute despotism, and I denounced the exercise of any such power on the part of the officers of a constitutional government. I thought, as I cannot help still thinking, that it was the duty, a high and solemn duty, of every real and true patriot and lover of his country to denounce with earnestness the first act of violation of the Constitution. When its boundaries are once disregarded, we too soon become habituated and familiarized to the guilt, and become careless of the danger of a second offense, until, proceeding from one violation to another, we at length throw off all the restraint it has imposed, and very soon, though the semblance of its form may remain, its vitality will have fled forever. In the worst days of English history a Dr. Cowell wrote a book designed to establish the doctrine that the king was *solutus a legibus*,—not bound by the laws. Parliament compelled James I. to issue a proclamation for the suppression of the book, but he soon after issued another against the license of the tongue, and we learn from the letter of the Bishop of Lincoln to the Duke of Buckingham “that whosoever ventured, in the most legal and constitutional manner, to speak or write in opposition to the royal will, had to do so at the peril of arbitrary imprisonment of *any* duration.” We are told that a man was imprisoned under this proclamation in Norwich for saying “that the Prince of Wales was born without a shirt on his back.” Though the conduct of James has been pronounced tyrannical and despotic by all historians, yet his laws preceded the offense, and every man who chose might have avoided the penalty of disobedience.

But how is it with the poor devils of us who have been imprisoned at the pleasure of the Secretary of State, not only *without any law*, but in open and flagrant violation of the most sacred guarantees of *the highest law of the land*? He makes a secret law himself, a *higher law* than the Constitution, hid in

the gloomy recesses of his own heart, wholly unknown to those who are to become its victims, by which he determines, according to his own mere caprice, what acts, what words, what thoughts or looks shall deprive a freeman of his liberty. This law may vary with every gust of passion or every cloud of suspicion which shall agitate or darken his mind. In all candor, sir, to me it presents an image of the most fearful and diabolical tyranny. But it is a refinement upon this despotism to offer pardon by a public proclamation to those who have violated no law. I ask no pardon and can receive none. I can admit no such implication of my guilt. I hold my liberty by deed in fee-simple from God Almighty, and in due season I have faith that he will vindicate his own solemn act.

The poor remnant of my life, God willing, shall be dedicated to vengeance; no, not vengeance,—that is the Lord's,—but to a just and righteous retribution. I believe that the day will come, as certainly as that God is just, when retributive justice will triumph. I look for it with more anxious hope than ever the chosen people of God looked for the promised Messiah. My confidence in its advent is my only solace by day and by night. It mingles with the dreams of my wife and children, from whom I am still cruelly separated. History is not without examples of such retribution. In the second century the Emperor Adrian had his own brother-in-law, an old man of ninety years of age, executed on *suspicion* of a conspiracy. When about to be executed, the old man protested his innocence, and uttered a prayer, that Adrian might wish to die and find death impossible. The imprecation was fulfilled. He was soon tortured with the most excruciating disease, and longed and prayed in vain for death. He implored his physicians, the priests, and offered large bribes to his servants to kill him. He actually stabbed himself with a dagger, but it proved not to be fatal, and only added to his torment. Every child he had died, and he was left desolate and alone. Thus lingering, and without the cessation of pain, he is said to have composed that celebrated ode, which Pope has paraphrased, beginning "Vital spark of heavenly flame, quit, oh, quit this mortal frame," etc.

I am, I confess, a different man from what I ever was before. I cannot help it, and hope that God will pardon me for it. I have borne much. Seized like the vilest criminal at the dead hour of night; dragged from my native State in defiance of the great writ of liberty; the forms of law resorted to only for the basest prostitution; official oaths shamelessly violated; thrown into worse than a Neapolitan prison; furnished with fourteen pounds of coarse straw, carefully weighed, put into a tick of the roughest material, four feet seven inches in length, without a

sheet or pillow, with one filthy shoddy blanket, in a room with thirty-six others; with a brick floor, without fire, so damp that your boots would be covered with green each morning; locked up at six o'clock in the evening without any of the usual night-conveniences; with two candles, afterwards reduced to one for the whole number, which had to be extinguished at nine o'clock; without a pitcher, wash-bowl, towel, chair, or table; with a scanty supply of water filled not with wiggle-tails, but myriads of tadpoles,—can you be surprised that I should feel deeply and speak strongly? As you may well suppose, my health has been seriously if not fatally shattered; I suffered the agonies of many deaths from rheumatism, with my legs swollen almost to the size of your body. But this is not the worst by far. My bladder has been seriously affected, and when I wrote to you that I wished to have a surgical operation performed, I was under the impression that I had stone; but on strict examination, I am assured by my medical adviser that such is not the case, but that it is the chronic contraction of certain muscles, the result of forced bodily habits, which time alone can cure. It would take a volume to detail to you all the vile contrivances set on foot to humiliate me and break my spirit. Among other things, a newspaper was sent to me announcing that my wife had become a *maniac*. Oh, God! what a blow that was from an unseen hand! I confess that I was stunned and crushed, and felt that my vilest enemy had achieved a triumph. It was no doubt very wicked, but no Christian ever uttered a more fervent orison to Heaven than I did, that God would relieve me by death if it should prove to be true. For the first time in my life I appreciated the feelings which could induce a man to commit suicide. Colonel Dimmick, who is a *good* man, came to see me, and shed tears like a child, and immediately sent an express to Boston with a dispatch from me. An answer came the next day from my wife, in the following words: "Not the shadow of foundation for the vile slander. Bear your imprisonment as becomes you, and never give up your principles." It was then published in the New York and Boston papers that I was to be selected to be hung if Colonel Corcoran and others were hanged by Jefferson Davis, and the paper containing this was sent to my wife. Poor woman, she has had enough to make her a maniac.

You see, sir, what I have had to endure. It is now going on six months since I was torn from my home. My family has been broken up, my children scattered, my household effects necessarily sacrificed, my resources cut off, and I am no better than a common beggar, for I am living on the charity of kind friends. Yet the vengeance of Mr. Seward is not yet satisfied.



I want no appeal made to him, for I assure you that my belief as to his motives is not unfounded. I had thought well of Mr. Lincoln, and I am inclined to believe, if he knew all the circumstances attending my case, that he has magnanimity enough to release me unconditionally, so that I may feel as a free man and go South to attend to my business, which I am willing to say to you shall occupy me to the exclusion of everything else. But I may be mistaken. At all events, I can surrender my parole and go back to prison. I cannot bear the idea of living on the charity of others.

I am now staying with my good friend, Mr. William Fellowes, on Staten Island, and receiving every possible kindness and consideration; but how can I continue to do this? You must see that it is impossible, and painful as it would be I would rather go back than to do it.

Excuse my long letter. From the fullness of the heart the mouth speaketh; and, I may add, the pen writeth. God bless you.

As ever, your friend,  
C. S. MOREHEAD.

P.S.—Please present me most kindly to Mrs. Crittenden. I inclose my photograph for her. My beard was a matter of necessity, as I could not shave while in prison. I have now taken it from the chin. Direct any letters still to Dr. Sayre, No. 795, Broadway, New York.

To the Hon. J. J. CRITTENDEN.

(J. J. Crittenden to Hon. C. S. Morehead.)

January 12, 1862.

Hon. C. S. MOREHEAD.

MY DEAR SIR,—Since soon after your imprisonment I had been co-operating with your family and friends to procure your release. And since the commencement of the present session of Congress, and before the receipt of your letter of the 15th ult., I had an interview with Mr. Seward on the same subject. Upon the receipt of that letter, I waited on the President, and then again on Mr. Seward, to ask for the consideration of your case, and for your liberation.

I thought there was a disposition to grant it; but Mr. Seward wanted a little more time, and I could but acquiesce in the delay. And on the day afterwards, to insure as far as I could that the case should not be neglected, I addressed him a letter, restating it and urging it upon his attention, and for a speedy decision, with a request that he would give me the earliest information of the conclusion to which he might come on the

case. And expecting such an answer to my letter in a very short time, I delayed replying to you till it should be received, in the expectation that I should then have the pleasure of informing you that you were again a free man. No letter coming from Mr. Seward, I waited from day to day until two days ago, when I was casually informed that you had been discharged from imprisonment. I felt quite aggrieved that all this had been done without any notice of it having been given to me by Mr. Seward, so that I might have replied to your letter without any unnecessary delay. On yesterday I received from him a note of apology for the omission. Such has been the course of circumstances, and will account, at least, for my delay in answering your letter of the 15th ult.,—the only letter I have received from you since your arrest at Louisville. If you wrote any other letter to me, it was never received.

Congratulating you on your restoration to liberty, I remain

Your friend,

J. J. CRITTENDEN.

(J. J. Crittenden to Mrs. A. M. Coleman )

WASHINGTON, March 14, 1862.

MY DEAR DAUGHTER,—I did not receive the telegraphic dispatch at Cincinnati, though I inquired for one. I have not heard one word from home, except the sad intelligence brought to me by your letter from Danville. When I left home, Cornelia was better. I cannot yet realize that one so good, so pure, so useful, and so dear and beneficial to us all, and to all around her, is so suddenly to be taken from us. Your letter has given me a terrible shock. You say she was slightly better when you wrote; my heart seizes upon that little hope, and trusts that God will spare to us a little longer one so good, so dear. You promised to write again the next day. I hope you have not failed to do so. You would not if you knew how dreadful is my state of suspense. If you have kept your promise, I shall get your letter to-night.

Mrs. A. M. COLEMAN.

Your father,

J. J. CRITTENDEN.

With regard to the confiscation bill, Mr. Crittenden opposed it warmly. He said the Constitution defined treason, and provided for its punishment; that it declared Congress should have power to declare the punishment of treason, but that no attainder of treason shall work corruption of blood or forfeiture except during the life of the offender. After the battle of Ball's Bluff there was a proposition made to appoint a committee of

the House to investigate the causes of that disaster to the Federal arms. It was said that there had been great blunders, or want of skill, or treachery on the part of the men who conducted it. Mr. Crittenden declared that the appointment of such a committee was extending their jurisdiction beyond their constitutional limit, and condemned the proposed measure also as a matter of policy. He believed that in General McClellan we had a brave commander, who enjoyed the confidence of the whole country. It would not do to lead the country to suppose he had failed to do his duty, or disposed to screen those who had not done their duty. Mr. Crittenden implored his colleagues to be patient, and have confidence in their military officers, and not to create suspicions.

After the appointment of the committee, Mr. Crittenden objected to the powers conferred upon it. He said he wished to get clear of all personalities with its members, as he had personally a respect for them. The committee was now trying its infant fortunes, it was delicate, modest, and forbearing, but all knew the effect the exercise of power had upon those exercising it. What they handled delicately at first they would handle *without delicacy* before they got through. He said he rose principally to say a word in vindication of one he was proud to call his friend, a friend of forty years. The tendency of the whole movement was evidently to bring a charge against General Scott, that he unwisely urged on the battle of Bull Run against the protest of the President of the United States. "I have never known," said he, "a man of more scrupulous truth and integrity than General Scott; in all that constitutes veracity and patriotism, he is a model man. The country is proud of him. His fame is a part of our national glory. He has been a major-general fifty years. I protest against this attack against his character, now that he has retired from active service, after such fidelity to the republic. It is too much to believe that General Scott fought the battle of Bull Run against the protest of the President."

(From the National Intelligencer, Washington, April 24, 1862.)

Mr. Crittenden's speech on the confiscation question was like a shield of silver, thick set with golden stars. He spoke with the spirit of a hero fighting for his country. He regarded the

bill before the House as the most momentous that had yet come up for consideration, and its adoption would be fatal to the republic. He considered it unconstitutional. He was for adhering to the great principle of English law, that no man should be deprived of his property but by due process of law. He thought the measure would have a tendency to make the war fierce and bloody; the people of the country were determined to protect their institutions both from the assaults of the secessionists and the abolitionists. Towards the conclusion of his speech, Mr. Crittenden paid this handsome tribute to the President: "I voted against Mr. Lincoln, and opposed him honestly and sincerely, but Mr. Lincoln has won me to his side. There is a niche in the temple of fame, a niche near to Washington, which should be occupied by the statue of him who shall save his country. Mr. Lincoln has a mighty destiny! It is for him, if he will, to step into that niche; it is for him to be but a President of the people of the United States, and there will be his statue. It is in his power to occupy a place next to Washington,—the founder and preserver side by side!"

(Frankfort Commonwealth, May 19, 1862.)

We hope that all will read Mr. Crittenden's speech. It is like everything emanating from that great and good man, eloquent in language, patriotic in sentiment, convincing in argument, and withal so kind and generous in its tone that even those who differ with him cannot but admire him. Neither his heart nor head have felt the chill of age. He stands forth now, at the advanced age of seventy-five, without a peer in intellect or oratory in that branch of the national Congress where youthful talent and ambition first put forth their claims to distinction. By his example he is teaching men never to desert their posts, never to despair of their country. He has been in the national councils ever since the administration of President Madison,—several times as Attorney-General, and repeatedly re-elected to the Senate, oftener, indeed, than any man who has ever occupied a seat in that body.

Mr. Crittenden has been always conservative, and always disinterested. His occupying a place as a representative was evidence of his willingness to sacrifice his personal ease and comfort when his fellow-citizens required it.

The triumphant vote by which he was elected proves how truly he is loved and trusted in his own native Kentucky.

(J. J. Crittenden to George D. Prentice.)

HOUSE OF REPRESENTATIVES, May 14, 1862.

SIR,—In the *Journal* of the 11th inst., I read this morning with deep mortification the article concerning my son, George B. Crittenden. My son is a rebel!—I defend him not! But what public good can be done by such denunciations as that article contains? Its exaggerations and misstatements make it unjust and ungenerous, and as to his family, it is most cruel. Such a blow from such a source has been felt with peculiar force. It was useless for any purpose of public good, and could inflict wounds upon friends only.

George B. Crittenden, save his act of rebellion, is beloved by all his family, and looked upon as one of the best and noblest of their race. They believe, and cherish the belief, that he was deluded into this rebellion, and that of the thousands who were so deluded not one acted from more honorable motives than he did, however erroneous or unjustifiable their reasoning may have been. With these convictions, his family are more susceptible to the pain inflicted by the article in question. George has done enough to condemn him; he is condemned, and we bow to the sentence; but we cannot comprehend why our *friends* should mortify us by useless and aggravated repetitions of the cause of our calamity. Such is not the office of friends. I am sure, sir, that neither you, nor the managers of your press, have any unfriendly feeling towards me or my family: I have received too many flattering evidences to the contrary; yet, sir, I have felt it to be my right, and my duty, to address you this friendly remonstrance. I ask that it may be received in the same spirit in which it is written, and I hope long to remain, as I long have been, your friend,

J. J. CRITTENDEN.

G. D. PRENTICE, Esq.

## CHAPTER XIX.

1862-1863.

C. S. Morehead to J. J. Crittenden—John Law to Crittenden—Hon. R. C. Winthrop to Mrs. Coleman, with Account of an interesting Incident at West Point (1861)—C. L. Vallandigham to Crittenden—In the House, the Admission of West Virginia—Opposition to the Employment of Slaves as Soldiers—Conscription Bill.

(C. S. Morehead to J. J. Crittenden.)

CLIFTON HOUSE, NIAGARA, June 18, 1862.

DEAR SIR,—I am a fugitive slave safely landed in Canada. Since my release I have faithfully and most scrupulously avoided saying anything that could be tortured into what was treasonable in tendency, unless the open and bitter denunciation of the atrocious despotism, of which I have been the unhappy victim, be such. One week ago our mutual friend, Judge Nicholas, sent a special messenger to me to leave the State, as otherwise I would certainly be arrested, and made to take an unlawful oath, or remain in prison during the war. As I never intend to take that oath, to avoid the possibility of imprisonment again, I am here. I did not go South in consequence of your suggestion. The probability is that I will go from here to Europe. It is a sad, sad condition to be placed in by a despotism which, I venture to say, has not its equal in the annals of civilization.

As I thus withdraw from the scene of action to avoid the possibility of being connected in any manner with this horrid war, allow me to say that the despotism now inaugurated in Kentucky, in my humble opinion, will not be borne. Judge Fowler and the most of his bar, you may have seen, were arrested while he was holding court in Union County. The judge was required by the military power to make all his jurymen take the oath of allegiance, which he declined to do, and was compelled to adjourn court, and taken prisoner from the bench. All the candidates for office who were not Lincolnmen, in Owen County, were imprisoned before I left home; and I see from the papers that thirty-three men from Owen and Henry have since been arrested. Squads of soldiers are sent in all directions, and men are every day taken up without

the slightest cause. I could give you instances which would quicken every drop of blood in your veins. All this is borne for the present in sullen silence; but rest assured that the time will come when the smothered volcano must have vent. I know nothing, of course, and only judge from my knowledge of our common nature,—some things are beyond human endurance. I have heard men who proclaim themselves unconditionally for the Union in public, curse these things in private with a venom and bitterness that would astonish you. It is right that you should know these things, and I feel that I can speak candidly to you. I do believe that these arrests, if not stopped, will lead to a guerrilla war all over the State. If the President has this power, the governor of Kentucky has it also, for the words of the State Constitution are identically the same as those in the Federal Constitution. What would be said if McGoffin should commence imprisoning without bail or mainprise?

Can you get me a copy of the order by which I was carried to Lafayette? I would like very much to have it. I have nearly completed my book, in which a body of facts will be found which, if I mistake not, will, when published, create a sensation.

I would be glad to hear from you. A letter addressed to me, care of the Clifton House, Suspension Bridge, N. Y., will reach me.

Hon. J. J. CRITTENDEN.

Your friend,  
C. S. MOREHEAD.

(John Law to J. J. Crittenden.)

WASHINGTON, July 2, 1862.

MY DEAR SIR,—I was prevented when in committee of the whole from making the speech I had prepared and intended by circumstances over which I had no control. The bills "confiscating rebel property" and "emancipating slaves" were made a *special order*, and being confined entirely to the subject-matters of those bills, the subject-matter of the two sheets inclosed, in parliamentary language, would not have been "germane" to them.

It would have given me great pleasure to have given to the country my views of your noble and patriotic character in this most unhappy contest,—a fratricidal war,—which I firmly believe the adoption of your resolutions would have prevented. The God of battles can *now* alone determine the result. I have, therefore, no other way of communicating *even to you* my high

regard and esteem but by inclosing to you a portion of what I intended to say had I an opportunity of so doing.

Very sincerely and truly yours,

Hon. JOHN J. CRITTENDEN.

JOHN LAW.

Sir, of all men living on this continent I had rather this day have the character and position of my honorable friend from Kentucky, who sits near me (Mr. Crittenden), than that of any other man, ay, rather than be President of the United States. The colleague of that great and good man, Mr. Clay, the associate in the other end of the Capitol of Daniel Webster, Silas Wright, Thomas H. Benton, and Stephen A. Douglas,—all gathered to their fathers,—he is the only link in the chain which binds the present to the past. He was even with such statesmen and patriots "*primus inter pares*," a peer among princes, a prince among his peers. He alone is left us, and the evidence of his loyalty and patriotism, his love of country, his attachment to the Union and the flag which is its emblem, his devotion to the Constitution and the laws, have been manifested on every occasion; and yet, I regret to say, there are men, even in this House, who pretend to doubt even his loyalty.

Sir, envy may carp at him, faction may hawk at him, party may ostracize him,

"But more true joy Marcellus exiled feels  
Than Cæsar with a senate at his heels."

"In the course of human events" he soon may leave us. The grave will open for him as for us; but the inscription on his tombstone will survive for future generations to look on and admire.

His epitaph will be—

"Beneath this stone, resting from his labors, lies one, who, if his counsel had been followed, the Constitution would have been maintained and the Union preserved."

(Robert C. Winthrop to Mrs. A. M. Coleman.)

Boston, December 26, 1870.

MY DEAR MRS. COLEMAN,—I have not forgotten my promise to give you some account of what happened at West Point when I had the good fortune to meet your excellent father there, during one of the early years of our late civil war. I had enjoyed his friendship, and not a little of his confidence, as you well know, while I was in Congress with him many years before; and I had always admired the generous and noble qualities of his mind and heart. But the occasion to which I refer was one which left the deepest impression on my memory, and I am, perhaps, the only one left to tell the story.



It was on the 8th day of August, 1862. I had stopped at West Point, on my way from Niagara, to pay a little visit to General Scott; and while I was with him, at Cozzens's Hotel, Mr. Crittenden came in. He told me at once that he had come there for a special purpose, in which he was deeply interested, and that he wished me to accompany him to the camp of the cadets, and be a witness to whatever might occur. Not long afterwards we went to the camp together; and after a brief preliminary interview with the commanding officer (Colonel Bowman, if I remember rightly), Mr. Crittenden explained to him and to myself his precise view in coming. He said that the cadets from many of the Southern States had exhibited a disposition to leave the academy, with the purpose of taking sides with their own States in the contest which was then in progress. Some of them, as I understood, had gone already; and he was in great concern lest the Kentucky cadets should be induced to follow their example. He thought that his personal influence might possibly do something to arrest such a design, should it exist in any quarter; and, after consulting with General Scott, he asked leave of the commanding officer to have an interview with each one of the Kentucky cadets in succession.

The leave was readily granted; and they were accordingly sent for in turn. To each one of them, as he came up, he made an informal but most earnest appeal. He seemed to know the personal history and family connections of them all. More than one of them, I believe, had received their appointments on his own recommendation. One of them had already distinguished himself, though a mere boy, by brave services as a volunteer, and his appointment had been made in recognition of his youthful gallantry.

I shall not soon forget how your father's eye kindled, and his voice trembled with emotion, as he spoke to them of the Union cause, and of his ardent desire that Kentucky should be true to the Union flag. He spoke, as he always spoke best, from the inspiration of the moment, and out of the fullness of his noble and patriotic heart. No one of those cadets can have failed to remember that most impressive scene. There was nothing of ostentation or formality about it. He told me he had come to West Point without previous consultation with anybody, and he evidently did not wish to have his intervention spoken of at the time. I think that he did not even enter his name on the books of the hotel, and left West Point as soon as he had accomplished the object for which he had come. He was unwilling to have it supposed that he had any distrust of the cadets of his own State, and assured me that he felt none. But he said he should sleep more easily after he had done what he could to make his

young friends feel that his whole heart was concerned in their loyalty to the government. I have never seen a man more in earnest than he was on that day, and he seemed to excite an electric sympathy in all whom he addressed, and in all by whom he was surrounded. For myself, I have rarely been more moved; and I could not resist the impulse, at a recruiting-meeting on Boston Common, not many weeks after my return home, even at the risk of his displeasure, to make the following brief allusion to what I had witnessed:

"At West Point, too, I met the generous and true-hearted Crittenden. I accompanied him to the camp of the cadets, and saw the emotion with which he grasped the hands of the young Kentuckians who clustered around him. One of them was a son of that noble preacher and patriot, Robert J. Breckenridge, of Danville; and another, whose name I am ashamed to have forgotten, but which history will not forget, was a young Kentuckian of only sixteen years of age, who, having been already wounded while serving as a volunteer at the battle of Shiloh, had now come to prepare for future responsibilities by studying the science of war."

I am not aware that any other public allusion to the scene I have thus described has ever before been made; but since the death of my lamented friend, I have felt that it was due to his memory that so significant and characteristic an illustration of his devoted patriotism should not be wanting to the biographical sketch which you are preparing.

Believe me, dear Mrs. Coleman, very sincerely yours,

ROBT. C. WINTHROP.

Mrs. A. M. COLEMAN.

(C. L. Vallandigham to J. J. Crittenden.)

DAYTON, OHIO, September 30, 1862

Hon. JOHN J. CRITTENDEN.

MY DEAR SIR,—The Democrats and other loyal men of this (the third) congressional district hold a mass-meeting at Lebanon, Warren County, Ohio, on Thursday, October 9th, 1862. It is their unanimous and most earnest wish that you should be present and address the meeting. They are for the Constitution as *it is* and the Union as it was and against abolitionism. We want Kentucky and Ohio to be united forever, and desire to give and receive all aid looking to that great purpose, equally opposed to secession South and abolitionism North and West.

Your presence here would be welcomed with the greatest joy.

Very respectfully,

C. L. VALLANDIGHAM.

(J. J. Crittenden to his daughter, Mrs. A. M. Coleman.)

WASHINGTON, November 16, 1862.

MY DEAR DAUGHTER,—Your second letter from Danville was not received till yesterday. Cornelia is better, and you all "*have hopes*." This, even this, is a great consolation to me, and shall be an assurance till I hear further. You will surely write to me every day while Cornelia's fate remains at all doubtful. I cannot bear up under the idea of her death. It would be too sudden, too unexpected. I will trust that she will recover. When I left home I heard she was better, and assured myself that she would soon be well,—otherwise I would not have left Kentucky. Tell Cornelia all this; tell her how much I love her,—love her with my whole heart. Though she is pure and good enough for heaven, she is so necessary on earth to be a light and guide to her family that I will not believe it is in the decrees of Providence to take her from us now. In any event, I must *try* to bow to that Providence.

Your mother shares with me in all my grief and love, hopes and fears, about Cornelia. Read this letter to her. Kiss her for me, and say for me "God bless and preserve her."

Your father,

J. J. CRITTENDEN.

(J. J. Crittenden to his daughter, Mrs. C. C. Young.)

WASHINGTON, December 5, 1862.

MY DEAR CORNELIA,—I cannot tell you what suffering and what joy you have recently been the occasion of to me. For two days you were dead to me. I scarcely desired to receive another letter, so sure was I that it would tell me you were dead. Thank God, you still live, and with every prospect of being restored to good health. I received all the messages you sent to me through Ann Mary's letters, and the letter written to me at your instance by your son John. These, my dear daughter, are a treasure to me, and are laid up in my heart. My only fear now is that you will be too impatient of confinement. I fear your intended trip to Frankfort may be attempted too soon. Be very careful of yourself. After such dangers as you have escaped, you are more dear to us all. Till we were in danger of losing you, we did not know how much we valued you. Your mother felt for you as I did, grieved for you as I did, and rejoiced with me at your recovery. I shall rejoice when I can receive a letter from you in your own handwriting.

Farewell, and God bless you.

Your father,

To Mrs. CORNELIA C. YOUNG.

J. J. CRITTENDEN.

With regard to the admission of Western Virginia, Mr. Crittenden said that, in looking to the Constitution of his country, he saw there that no State could be divided and another State made out of its territory without its consent. The language was positive and unequivocal. He felt for the people of Western Virginia, and appreciated their valor and patriotism, but he had sworn to support the Constitution and to make it the rule of his action. Virginia never was admitted into the Union. She formed it, was a part of the original creation. Being at heart the friend of Virginia, his judgment and conviction of public duty forbade him to make a new State out of her territory.

On the subject of the Iowa contested election, Mr. Crittenden said that Congress was intended to be the great legislative representative of the people, and should not be mixed up with officers and soldiers, or any one holding office under the authority of the United States.

We *might* have a President who would attempt to exercise an improper influence over him; there *might* be members who would be controlled by him,—at all events, their position might make them liable to suspicion as to their fidelity to the people; but according to the reasoning of Mr. Colfax, of Indiana (whose patriotism always overflowed and inundated him on every occasion) [laughter], we ought not to exclude the brave defenders of our country from seats in this House. He argues it upon the individual merits of *the brave defenders*. According to the gentleman's argument, our places could be supplied any day by a single brigade of troops. A brigade could supply four or five Congresses. But, sir, the gentleman in question is not here; he is in the field performing military duties; but if he were here, the President could command him to go back to Iowa or Arkansas, or where he pleased. A man subject to commands of that sort cannot be a fit representative of the people. The gentleman from Iowa is not in his seat because he is performing other duties in a distant part of the country. My friend from Illinois, Mr. Washburn, cannot see his friend removed from his place, on the supposition that he could possibly *be* subject to any improper influence. He was his near neighbor, and sat by him, and all the relationships of neighborhood would be destroyed by this cruel act of removing from office a man disqualified by the Constitution. It does not accord with the independence of a member of this House to be subject to the orders of the President.

Mr. Crittenden opposed the employment of slaves as soldiers. There was a bill before the House to raise one hundred and fifty thousand to enlist for five years. Mr. Crittenden declared that this measure was unconstitutional and unnecessary; that the white men of the country had shown no want of patriotism or courage, and that there was a million in the field who had become almost without exception voluntary soldiers. He considered the bill as a stigma upon the negro; they were to be employed to fight our battles and to receive *half pay*; the negroes were not necessary to put down the rebellion; this was only an abolition policy. All nations who had held slaves had rejected their services in time of war. Even Catiline had Roman pride enough left to reject, in his extremest peril, the assistance of gladiators and slaves, though they were white and had been born free. Mr. C. thought the measure proposed an insult to the army and a crime against the civilization of the age; an act of hostility to the Union. One gentleman and another had proposed to pass a resolution liberating all the slaves in the Union; but they were laid quietly upon the table. *Then* the President was appealed to, and *how* was it accomplished? In the name of the Constitution and of the country? How came the President by a greater power than Congress? Mr. C. did not hate the South; they had been his fellow-citizens and political brethren; he trusted they would be so again; he was willing to fight them because they were attacking the Constitution; his fidelity to the country was fixed; he was for the Union; he would never do honor to the abolition policy.

Mr. Crittenden spoke on the conscription bill on the 22d of February, 1863. This was the last speech he made in Congress, and will be given here entire as a fitting close to his public life:

Mr. Crittenden.—Mr. Speaker, I rise to address the House under circumstances of greater embarrassment, perhaps, than ever before since I have been a member of this body.

We are nearly at the end of our session; many of us nearly at the close of our public life. During the time I have been a member of this body I have endeavored, conscientiously, to do whatever I could for the suppression of this rebellion. I shall, however, make no boast of my patriotism. Our acts will speak

for us. They go before the country, and the people will decide; I am satisfied to abide their judgment. This measure, it seems to me, is but the natural result of the course of policy which this Congress has pursued from the commencement, or very near the commencement, of the war.

When the war broke out, it was a national war, with one single object, and upon that one purpose and object all hearts were united,—the re-establishment of this great republic,—our republic! There was no division; and in order to satisfy the country more effectually of the fact of our unity, but little more than eighteen months ago a resolution offered by me was passed, almost unanimously, declaring that this was our sole object. We pledged ourselves that no interference should be made in any institutions of the States,—having especial reference to the institution of slavery. How different, Mr. Speaker, would be the condition of this country to-day had the pledges then solemnly made by this Congress been adhered to! There was but one sentiment pervading the whole people of the country. Men flocked to your standard by hundreds of thousands, filling the ranks of such an army as the world never saw. No coercion was then talked of! What has produced the change that now presents itself? *What* has united the South in one solid phalanx? What has crushed and destroyed to a great extent, if not wholly, the confidence and enthusiasm that swelled in the great heart of the people of this nation? Our departure from our faith,—departing from that object which we declared to be the only just and patriotic one. Have you not departed from the policy of that faith? Have you not, in a manner considered perfidious, violated the pledges which you gave the country more than eighteen months ago? Was any discontent expressed at that time? I heard of none. The hearts of the loyal people, North and South, were fired with a common purpose to preserve the integrity of the Union and its honor. Every man felt himself under every honorable obligation to step forward, abandon his private affairs and look after the welfare of his country. That was the individual, all-pervading, patriotic sentiment of the whole people. No murmur of discontent was heard, and the same confidence and patriotic feeling was as strong among the Union men of the border States as it was in the North and West. Everywhere the same spirit! We were all willing to suffer to the last extremity to preserve the government. Now, what has produced this wondrous change? Do we not know? It has been our infidelity to the pledges made to the people. It is because of the reckless course of the dominant power; because of the impolicy of which Congress has been guilty. Is it not time for us to learn that the course we

have pursued, and are pursuing, has produced a state of division and dissension even in the remaining States? Yes, sir, our policy has been the fruitful source of these discords. The departure from our avowed policy of not attacking the institution of slavery, of fighting only for the government, the Union, and the Constitution: What have we seen this session? We have passed bills changing the rules and articles of war in order that slavery might be encroached upon. We deprived the loyal people of the South of all protection by the army for their property. You have passed a law taking the slaves from any of the citizens of the country. You have passed a law for organizing an army of three hundred thousand negroes. This, you know, is against the deep-rooted prejudices of at least one-half of our people. Eighteen months ago such a bill would have been rejected with one common voice. Even an allusion to such a purpose created profound indignation. You have done this, and more. You have passed laws which, in the opinion of the people, violate the Constitution. You have scorned the friends of the government. You have, by these measures, turned away from us the hearts of the people. We have sown deep the seeds of future disasters to this government. I implore the House to pause before it sanctions any other measures of this kind.

Mr. Speaker, can we carry on the war more successfully by transcending the Constitution than by obeying it? I have always said that the Constitution was our bulwark, our best defense; that our strongest hope was to keep within the clearly defined powers of that instrument. But what have we done? We have assumed powers not delegated by the Constitution; we have acted according to the sentiment which prevailed with us at the moment; we have been controlled by the petty spirit of party, rather than by patriotism and a determination to obey the Constitution and the laws.

You have lost the heart of the people, and lost it by the dogmas you have inaugurated and established rather than follow the Constitution. The gentleman from Pennsylvania (Mr. Stevens) said the other day that we have every man in the field now that can be gotten there voluntarily. Why is this? Because the intention of abolishing slavery throughout the United States is clearly proclaimed. You have done this while you have had an accidental majority here. This has changed the hearts of the people. This is the only time when the abolitionists ever had a majority in this House. What have they done with this accidental power? They have declared emancipation by law, declared a law for the raising of negro armies, declared emancipation and confiscation. The people have not

the same enthusiasm in the war they felt in the beginning,—then they put a million of men in the field. The country is still in peril,—in more peril than at that time. Why is not an army of two millions of men now in the field? Because you have established the dogmas of abolitionists,—this has led to loss of confidence. It is not for the country, it is not for the white man, but for the negro, that this war is now waged. I cannot give my voice for war for such a purpose. You say this bill is framed on the idea that the people will no longer volunteer, will not stand a draft, and we are obliged by law to coerce them: this is our condition, and the logical result of what we have previously done is this bill; we have ourselves created a necessity for it. The people are no longer with us; and we must force them, by penal laws, by new jurisdictions, provost-marshal scattered through the land, and a new sort of military judicature, to which they have not been accustomed. Knowing that you have now an unwilling people to deal with, you make that law as coercive as possible, and accompany it with every sort of inquisitorial and compulsory power, judicial and executive, in order to insure obedience. Is not that our condition, fairly considered?

There is but one sort of consistency which deserves the respect of honest men, and that is to let your acts correspond with your convictions at the time when you are called upon to vote. It is not alone what we did yesterday that we are to consider. We have lived through a time of trial and perplexity. Have we learned nothing? Our lessons have been severe, and we ought to be instructed by the fear of more dangerous lessons hereafter. The life of the country is attacked; that life is in your hands; its preservation depends, in a great measure, upon your wisdom, your solemn deliberations and considerations of the great questions now before us. If we wish to restore the Union we must change our policy. This bill will not answer the purpose; the people have lost confidence in us, and they will not bear more exactions and burdens. No, sir, you are mistaken in your remedy. For the distrust which now exists you must substitute *faith*, that your object is a rational one,—not the abolition of slavery, but the salvation of the country. Get back the hearts of the people and their confidence, and you do not want this bill.

You say a draft will not be submitted to. I know nothing about that, but will this more exacting provision be submitted to? In a country like ours, laws which do not carry along with them the assent of the people are but blank paper. Have you not cause to fear that this bill will do you no good? You are altogether mistaking the disease. It is the abolition element



here which destroys everything,—that has clouded the great ideas of nationality, the pride of the American heart. We must administer measures which will reclaim it and heal discontent. And yet, in perhaps the last moments of our existence, you are endeavoring to consummate a policy which the people have condemned. The remedy—the sole remedy—is by reversion, by retracing our steps, and making this again a national war. Then you will not want this bill; you will not require a draft; you will have volunteers enough. Political abolitionists thought the time had come for them to introduce the sword and the spear into the public arena, and to make use of this war to carry out purposes they have long cherished,—the abolition of slavery.

These, Mr. Speaker, are my views of the discouragements which now exist in the country, and my views of the remedy, the only remedy which will prove efficacious. This bill would have done well enough at the time the resolution I offered here passed. It would have passed, not with all the provisions which now accompany it, but the principle would have been adopted, and the whole power of the nation would have been placed in the hands of the government to be used, if necessary, for the defense of the country.

But the disease assumed another shape. The political body has become poisonously infected and the minds of the people filled with distrust of us and of our measures. We must be no longer Democrats, no longer Abolitionists, but, if we would save our country and ourselves, we must be merely *patriots*; we must not falter about undoing the evil we have already done when we discover that its effect is different from what we anticipated. Have not the people the right to believe that this war is now being used for the overthrow of slavery? In all candor, is not this *now* the object of the war?

There is a little *tweedledum and tweedledee* about this matter. One says, "The war is not to overthrow slavery; it is to save the Union;" another says, "If you do not destroy slavery, the Union is worth nothing." The argument here is exactly the argument of the Jesuits,—fix your minds and attention firmly upon one object which you think a lawful one, and then all the means are lawful. The object is the abolition of slavery; but *that* is not lawful. "No," says one, "but the salvation of the Union is constitutional! Direct your attention to that, and you may abolish slavery." This is the doctrine which makes the *end* justify the *means*. One says that abolition is his object, and that he goes for it *because* abolition is necessary for the salvation of the Union. Have we found this so? Has it concluded in any way to save the Union? Will your three hun-

dred thousand black men tend to save the Union? Are they soldiers? We know better; they are not soldiers, and during this war you cannot make them so. I put out of sight the question as to their capacity as a military people, or what they may become by a course of education; but you cannot, in two or three, or even ten, years make efficient soldiers of them. Again, will your white soldiers serve with them? You do not even know what to do with the runaway negroes which infest you and are calling upon you for the bread which they left behind when they fled from their homes and families. You can have some color for feeding them or setting them free; but when you hold out the idea that you mean to make soldiers of them, it is but a delusion, a pretense for abolitionism, a means for placing negroes on an equality with your white soldiers. It will either raise to an equality with white soldiers those whom they regard as an inferior race, or else it will level them down to an equality with negroes. I do not know that I differ with my friend from Massachusetts, Mr. Thomas, as to the principle that this government has a right to the employment of all the force it can command in this hour of exigency and peril. I will not say that this bill, so far as it regards the enrollment of the men liable to military duty, and subjecting them to be called out for military service, does not come within the power of Congress. I will not contest that question with him here, at all events, now. But I do not think that the Constitution intended that Congress should have power to enlist negroes. They were regarded as *property*, and it was not intended that a man's property should be taken from him. The gentleman says "that they may be employed, *if* it is necessary to save the republic." He postpones the employment of negro soldiers to the last. I differ with him in this. I believe that that time not only has not come, but that it never can come. It never can (so long as we remain of the proud, free race to which we belong) be expedient to raise an army of negroes in this country. Instead of being a source of power, negroes in your army would be a source of weakness, and their presence would drive men from the field a thousand times more capable of defending the country than they can be made. A negro army unnerves the white man's hand,—the white man's heart.

## CHAPTER XX.

1863.

Edwin M. Stanton to John J. Crittenden—Letter from Henry Gillman—Mr. Crittenden's Personal Appearance and Manner of Public Speaking—A Will found among his Papers—Mr. Crittenden's Death—Resolutions found among Mr. Crittenden's Papers—Notices of his Death—Funeral Honors—Speech of Hon. R. C. Winthrop to the Massachusetts Historical Society—Remarks of Hon. J. F. Bell in Kentucky House of Representatives—Monument erected by the State of Kentucky.

(Edwin M. Stanton to J. J. Crittenden.)

WASHINGTON, May 7, 1863.

DEAR SIR,—The President and general-in-chief have just returned from the Army of the Potomac. The principal operation of General Hooker failed, but there has been no serious disaster to the organization and efficiency of the army. It is now occupying its former position on the Rappahannock, having crossed the river without any serious loss in the movement. Not more than *one-third* of General Hooker's army were engaged. General Stoneman's operations have been a brilliant success; a part of his force advanced to within two miles of Richmond, and the enemy's communications have been cut in every direction.

The Army of the Potomac will speedily resume offensive operations.

EDWIN M. STANTON.

(Henry Gillman to J. J. Crittenden.)

DETROIT, MICHIGAN, March 21, 1863.

DEAR SIR,—I have read your noble speech. Such words make you the friend of every *true* patriot, and every *true* patriot your friend. (Alas! these degenerate days have made it necessary to use an adjective in conjunction with this once sacred name.) Your powerful language, unincumbered with the glitter of ornament, magnificent in its very simplicity, has cut clear to the core of the subject,—to the sundering of the very bones and marrow. Every lover of his country thanks you from his soul, speaking your name with reverence. While such a voice is heard in our Congress, may we not still cherish the hope that the good God has not utterly forsaken us, and given us over to

a reprobate mind; that the counsel of reason will yet be listened to, even in this late day?

You but too truly say that Congress has mistaken the disease altogether; that the disease of the public heart is loss of confidence in its representatives. How deeply I feel "it is the abolition element which has destroyed everything; that has clouded the great ideas of nationality,—the pride of the American heart!" When will they accept the remedy? Have they not long enough acted the part of the deaf adder, which heareth not the voice of the charmer, charm he never so wisely? Will a free people submit forever to systematized iniquities which are sapping their very life-blood? God give us patience and courage in these evil times; patience that we may do nothing rashly, and courage lest the hands which have stricken the fetters from the negro fasten upon our wrists. With the blessing of Providence we must leave the heritage of this goodly land unimpaired to our children's children and long generations after.

In the far future, when the history of this great struggle shall be written, your name, sir, shall stand foremost among those of that brave, unselfish little band who forgot their own interests in the love of their country and her salvation. Think not that these are the utterances of cant or of adulation: they come from the heart, however feeble in their expression,—and, to one even like you, they may not be altogether purposeless, altogether without a significance and a use.

I should consider it a high favor to know of your receiving this as it is meant.

Believe me, sir, with profound respect and esteem,  
Your ardent admirer and well-wisher,  
HENRY GILLMAN.

Hon. J. J. CRITTENDEN, Washington, D. C.

It is not possible to give a better idea of Mr. Crittenden's personal appearance than is conveyed by the following extract, from "Our Living Representative Men," by John Savage:

In one of the interesting episodes of the famous Kansas-Le-compton debate, of March, 1858, an allusion in the speech of senator Green, of Missouri, brought to his feet the venerable Senator, who occupied a seat immediately next the bar of the chamber, and nearly on the extreme left of the Vice-President's chair. A man of medium height and rather spare figure, his face is strongly marked, years and thoughtful experience completing the original outlines of nature. There is a warm, healthy flush over his features, as though a strong heart con-

tributed to their sedate enthusiasm, and making a pleasant and picturesque contrast with the white hair that decorates his head. His manner is as marked as his features, disclosing earnestness and pathos, while his matter is presented with a freshness, vigor, and copiousness of language which command attention. But it is when, rising above the sectionalities of debate, he invokes a national inspiration and gives voice to it, that he is peculiarly affecting and effective, evoking from his hearers the tearful solicitude he portrays himself.

On the present occasion he speaks of himself, and his words are consequently especially interesting. The eyes of the senators from all sides are inquiringly turned upon him. The full galleries are expectant, and many a political enthusiast, who slept in the lobbies, is thoroughly awakened by the voice of the "old man eloquent." He said, "The senator from Missouri was surprised at his feelings, and intimated that he had had *bad schooling*." Briefly reviewing the political points made by Senator Green, he said he knew his own defects, but did not like to hear them attributed to the school in which he had been brought up. "If my education is defective, it is on account of some defect in me, and not in the school. The gentleman is a young man and a young senator,—I hope, and wish for him a long life of public usefulness; he may have learned much more than I have ever learned; if so, it only shows the superiority of his capacity, for I am sure he has not been in a better school. Sir, *this* is the school in which I was taught; I took lessons here when this was a great body; indeed, I learned from your Clays, your Websters, your Calhouns, your Prestons, your Bentons, your Wrights, and such men. I am a *poor scholar*, I know, not likely to do much credit to the school in which I was taught. It is of but little consequence to the world whether I have learned well or ill: it will soon be of no importance to the country or any individual." This proud yet modest speech creates an interest in the speaker on the part of the strangers who do not know his person or career. They naturally ask who he is, and a dozen voices, with surprise and gratification, reply, "Crittenden, Crittenden, of Kentucky!" He is the oldest senator in the chamber; it is more than forty years since he first entered it in a representative character; he was a senator before Webster, Calhoun, and Benton; long, many years, before Wright and Preston; he was not the pupil, but the contemporary of those men: he learned *with*, and not, as he modestly says, *from* them.

With the Kansas question Mr. Crittenden's name is inextricably interwoven. He opposed the admission of Kansas under the Topeka Constitution, in 1856; recorded his vote against

the repeal of the territorial laws, and was in favor of Senator Toombs's Kansas bill. It was far from being unobjectionable to him; but he regarded it as a peace measure. In March, 1858, in the famous debate in which he occupied so prominent a position, he opposed the admission of Kansas under the Le-compton Constitution. The scene, on this occasion, as well as the views of the distinguished senator, were among the leading topics of the day, and properly belong to the history of the country. It took place on the 17th of March, and the appearance of the Senate-chamber and the pith of the speech were prominently given in the editorial columns of one of the leading journals. That day's doings are among the chief causes which brought Senator Crittenden's name prominently before the people for the Presidency. The article is given below almost entire.

"The Senate presented the most brilliant spectacle on the occasion of Senator Crittenden's speech on the topic of the day. We have not seen the galleries so crowded this session. We have not seen so many ladies in them, or such a crowd of public men on the floor of the Senate, or so full an attendance of senators. The editorial gallery was jammed, and we honestly believe, with editors and reporters, which is not always the case. In the ladies' gallery Mrs. Crittenden commanded particular attention, even as her gifted husband was the chief object of attraction in the chamber. Indeed, as truthful chroniclers for some future historian of Congress, we may say that the crowd was of the most intellectual, elegant, and attentive character witnessed this session. Senator Crittenden spoke for two hours and a half with great clearness and force. He thought the consideration of the rights of the people to govern themselves was certainly *not* inapplicable in the present issue. The President had, with unusual earnestness, urged the acceptance of the Le-compton Constitution. The senator from Kentucky differed from this view, because he did not believe the Constitution had the sanction of the people of Kansas. Whatever the *prima facie* evidence was, he held that, on examination, it was clear that it was not the voice of the people of Kansas. It was against the overwhelming majority of the people. To the extent of some six thousand votes, it appears to have been sanctioned, but out of these six thousand votes about three thousand were proved to be fictitious and fraudulent. This is verified by the minority reports of the Committee on Territories, and is certified by the authorities appointed by Mr. Calhoun, in Kansas, to inspect the votes. This vote was taken on the 21st of December. Before that vote was taken the legislature, elected in October and convened by acting Governor Stanton, passed an

act postponing the voting on the constitution till January 4th. On that day ten thousand majority was given *against* the constitution, and the legislature passed a resolution, the substance of which was that the constitution was a fraud. How, then, can you say that this constitution is the voice of the people? Unless we shut our eyes to the election on the 4th of January, we see an immense popular vote against it. We have also the solemn act of the legislature. You will accept that which testifies to the minority, and reject *that* which testifies to the majority. Accept the first opinion and reject the last, while it is a rule in law that the last enactment supersedes all others. Why is not the evidence of the 4th of January entitled to our confidence? He believed the President was in great error. He had expressed himself in favor of submitting the constitution to the people, and in his message *regrets* that it was not done. The governor, carrying out the *then* policy of the President, promised that it should be submitted, and the act of the legislature, which the President desires to regard as a nullity, was actually carrying out the expressed will and desire of the President and governor.”\*

The following *will* was set aside by a subsequent one made many years afterwards. I give it as evidence of Mr. Crittenden's generosity and simplicity of character. Mrs. Crittenden was a widow with three children at the time of her marriage to Mr. Crittenden.

This is my last will and testament.

My executors or executrixes hereinafter named, or the survivors or survivor of such of them as may qualify and act, are hereby authorized and empowered to sell and convey my real estate or slaves, or any part thereof, to raise a fund for the payment of my debts, if, in their discretion, they shall consider it advisable so to do. I give and bequeath my gold watch and my law-books to my son George. To my daughter, Ann Mary B. Coleman, I give my portrait painted by Jouitt,—I long ago promised it to her.

My two silver goblets, marked each with the letter D (presented to me many years ago by my friend W. P. Duvall, now governor of Florida), I give, as tokens of friendship, the one to Dr. Wilkinson, and the other to my friend John Harvie. By contract with, and my promise to, Colonel Baylor, of whom I purchased the mother of my negro boy Dick, now in the possession of H. Wingate, Esq., I am bound to liberate Dick when

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\* These speeches are given in full in the collection of speeches.

he attains the age of thirty years. Wishing this obligation sacredly observed, I will and declare *Dick* to be a free man as soon as he attains the age of thirty; and I enjoin it upon my representatives to comply with, and do, whatever the law may require for his perfect emancipation.

After the payment of my debts and legacies, I devise the residue of all my estate as follows, to wit: the one-half or equal moiety thereof to my dear and excellent wife, as her own absolute estate and property; and it is so given the better to enable her, by these *poor means*, to maintain, educate, and advance, according to her own maternal care and discretion, *all her children*, and especially our two little sons, John and Eugene. The other half or moiety of the said residue of my estate I devise to Dr. L. Wilkinson, his wife Elizabeth, and my son George, and to the survivors or survivor of them, in *trust* for the use and benefit of my sons George, Thomas, and Robert, and my daughters Cornelia, Eugenia, and Sarah. The said trustees, and the survivors or survivor of them, are to hold, control, and manage the property devised to them, or in any way sell or dispose of the same as they may think best, holding the proceeds of any such sale to the same trust; and are to apply and use the said trust-fund for the maintaining, educating, and advancing my said last-named children; and in so using and applying it are to be governed by their own discretion only, which I know will be faithfully and affectionately exercised, and for the exercise of which I do not wish them, or either of them, to be accountable to any,—my will and intention being to place the property devised to them at their absolute disposal, upon *trust*, to be used, expended, distributed, sold, or otherwise disposed of, according to their discretion, or the discretion of the survivors or survivor of them, for the greatest good, accommodation, and advantage of my said last-named children, and without regard to mere equality of expenditure or advancement to, or upon the one or other of said children.

To my wife I commit the guardianship of our two little sons, John and Eugene. I appoint Mrs. Mary W. Price guardian of my daughter Eugenia; and I appoint Dr. L. Wilkinson, and his wife Elizabeth, and my son George, to be guardians of my children Cornelia, Thomas, Sarah, and Robert. In making this will I have not considered my wife's maid, Anna, as any part of my estate. Whatever title to her, or interest in her, I may have, I give and devise to my wife, exclusive of, and in addition to, what has been hereinbefore devised to her.

I appoint my wife, Dr. L. Wilkinson, and his wife Elizabeth, and my son George, executors and executrixes of this my last will, hereby revoking all other and former wills made by me.



My daughter Ann Mary will find in her own comparatively affluent circumstances the reason why I have given her nothing but a poor memorial of my affection. Of the little I have to give, I know that neither she nor her husband would wish to withdraw one cent from her more needy and unprovided brothers and sisters. I could have wished to have the services of my son-in-law, Chapman Coleman, as one of my executors and one of the guardians of my children, and have been prevented from placing that burden on him by the consideration only of his constant employment in his own business. I have all confidence in him, and without intending thereby to restrain or qualify the powers given to my executors and the guardians of my children, it is my wish that they should consult and advise with him. I know that he will render all the assistance he can, and that he will be kind to my family. I desire that no bond or security should be required of my executors or of those whom I have appointed trustees or guardians of my children, nor of any one of them. I have full confidence in them, and desire that none of them should be held to security of any kind for the performance of any of the duties of executors, trustees, or guardians hereby imposed upon them.

This last will and testament is wholly written by myself, and with my own proper hand, and requires, therefore, no attestation of subscribing witnesses.

In testimony of all which I have hereunto signed and subscribed my name, with my own proper hand, this 6th day of July, 1833.

J. J. CRITTENDEN.\*

Mr. Crittenden died in Frankfort, 26th of July, 1863. He had been in declining health for six months or more. During his last winter in Congress, he attended regularly to his duties, but appetite and strength were gone. On his return to Kentucky he was induced to become once more a candidate for Congress. He spoke at several places in the district, and during a speech, made in Lexington, he was so exhausted as to be compelled to sit down and finish his speech from his chair. About two weeks before his death, he consented to visit the alum springs, in Indiana, which were said to be efficacious in diseases like his. Arriving in Louisville, on his way to Indiana, Mr. Crittenden became so unwell that he was compelled

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\* At the time of Mr. Crittenden's death, his entire estate was worth about eight thousand dollars.

to give up visiting the springs. He was taken from the hotel to the house of Dr. Bush, a kind friend, where he remained about a week, and then returned home; he died two days after his return. Though very weak and suffering, with no possible hope of restoration to health, his family and friends were not prepared for his sudden death. Mr. Crittenden's sister, Mrs. H. Thornton, of California, sat by his side almost the entire day, Saturday. He talked a great deal during the day: more, Mrs. Thornton said, seemingly to himself than to her; his thoughts turned to the far distant past,—to his old and early friends. He said, "How many families I have known rise to the height of prosperity, and then decline and pass away; and *I have helped them!* I have helped them!" He spoke fondly of his brothers, all of whom had been dead many years, and said, "My brothers were a great loss to me." He talked with great earnestness, with his eyes fixed and flashing, as if in health, and, raising his hand and arm in graceful gesture, he spoke of the state of the country with great emotion; then, with all the eloquence and fire of his early manhood, he exclaimed, "Let all the ends thou aimest at be thy country's, thy God's, and truth's!" He looked and spoke as was his custom in public speaking. When Mrs. Thornton was about to leave his room, she said, "My dear brother, can you not put your trust in your Saviour?" "Ah, Lucy, I have thought a great deal more about that than you or any one knows, and I am satisfied! I am satisfied!" Later in the evening the family were assembled in the room, and with them Mr. Hays, the Presbyterian clergyman of Frankfort. Mr. Crittenden looked up and said, "Mr. Hays, I have been wanting to speak with you." Mr. Hays drew near the bedside; but Mr. Crittenden continued, "Not to-night, Mr. Hays, not to-night; I am too weak; to-morrow." About ten o'clock he dismissed the family, except his two sons, General T. L. Crittenden and Robert, and composed himself as if to sleep, but in a short time said, "Tom, come and raise me up, and arrange my pillow." When this was done, he turned a little on one side, and said, "That's right, Tom," and almost in that moment he died. He never spoke again. His sons saw "the great change;" but before the family could reach the room he was dead. "The chamber where a

good man yields his breath is blessed beyond the common walks of life."

(Resolutions found among Mr. Crittenden's papers.)

The rebellion is vanquished. All its armies have been defeated in decisive battles, and nothing more remains to be done by the arms of the United States for its complete suppression that is not of certain and easy accomplishment. Congress turns its attention with sincere satisfaction from fields of fratricidal slaughter to the nobler task of repairing the disorder and mischiefs of civil war, and restoring confidence, peace, and good will among all the people of the United States; therefore

*Resolved*, That, with the few exceptions of guilty leaders that public justice may demand, Congress does not intend the punishment or humiliation of the misguided people who have been engaged in the rebellion.

*Resolved*, That it is the duty of the Federal government, in a paternal spirit, to endeavor by all proper measures of conciliation to heal divisions among our countrymen, and to give once more peace and quiet to the whole country.

*Resolved*, That the States of this Union, notwithstanding all the acts of secession or rebellion, retain their relations to the Constitution and laws of the United States, and are entitled to resume their constitutional position in the Union, whenever they can be sufficiently relieved from the power of the rebellion to do so. It is their duty to do so, and they are required by the Constitution, and entitled by Congress, to do so, with as little delay as possible, and are entitled to resume that position with all the rights and powers they ever possessed under the Constitution.

## NOTICES OF MR. CRITTENDEN'S DEATH.

(From Forney's Press.)

TO JOHN J. CRITTENDEN, OF KENTUCKY.

Type of a better age! on whom descends  
The mantle which the sage of Ashland wore,  
Whose patriot soul unshrinkingly defends  
The cause his clarion voice maintained of yore;  
True to thy country in her hour of need,  
Thou, brave old man! when thousands fall away  
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Midst the foul feud that o'er the South has swept,  
Thy faith, thy zeal, thy loyalty hast kept;  
And shalt live honored in all coming time,  
So long as virtue's loved or hated crime!

PHILADELPHIA, 1863.

This little poem refers to a speech of Mr. Crittenden to his constituents, from which we make the following extract:

"When usurpations of power are made dangerous, and when encroachments upon my liberties and the liberties of my constituents, and upon the Constitution, intended to guard the liberties of all, are made, I would have every man possess spirit enough to declare his opinions and offer his protests. Without this freedom of speech there can be no lasting liberty. The republic cannot exist. A people who cannot discuss public measures of the nation, and apply the necessary rebuke to secure correction of wrong, cannot be a free people and do not deserve to be."

We have received from Frankfort the painful intelligence that Mr. Crittenden is dead. He died yesterday morning at three o'clock. This intelligence will thrill the heart of the nation with peculiar grief; it will add a fresh shadow to the gloom that overhangs our stricken land,—and, alas! it well may.

The death of Mr. Crittenden at any time would have been a national bereavement; his death at this time is a national calamity. It is scarcely hyperbole to say, that Mr. Crittenden was the good angel of our country. A man of the loftiest integrity; a patriot of unsurpassed fidelity and of unequaled

magnanimity; a statesman of the most extended and varied experience, and of unfailing sagacity; an orator, whose golden eloquence was the thrice-refined spirit of a just and honorable conciliation, and the sole survivor, in active life, of the *master-spirits* of the last generation of statesmen, whose intellects and character reflected upon us the glory of the statesmen of the Revolution, as the mountain-tops reflect the splendors of the dying day. Mr. Crittenden, above all other men in the land,—far above all other men,—embodied the spirit and the principle to which, under Providence, every enlightened American looks for the salvation of this republic,—he, more fully than any other man who survives him, impersonated the true genius of American patriotism in this mighty struggle for the preservation of American nationality. Mr. Crittenden was the glass wherein true patriots did dress themselves. But he is no more! The good angel of our country has passed away! The mirror of patriotism, and all other noble qualities, lies broken upon the earth. Death, the pitiless destroyer, has shattered it. The true and princely Crittenden is gone; yet, though dead he lives,—

“Lives in death with glorious fame.”

May his deathless life inspire and guide his countrymen for evermore!

(From the Frankfort Commonwealth.)

Thus has passed from earth the last of the great men of past Revolutionary fame who kept alive, in the presence of the whole world, the great truth that man was capable of self-government. He survived his illustrious compeers,—Clay, Calhoun, and Webster,—and at the time of his death did not leave his equal behind him in this nation, and scarcely in the world itself.

In all that constitutes true greatness he had no superior. Great, without ambition for place or prominence; brave, virtuous, and self-denying from the instincts of his nature, he was the model of a citizen, a patriot, and a gentleman.

The great Kentuckian is dead! Millions of Americans, both North and South, will hear this announcement with the profoundest sorrow; while to his own native Kentucky the news will come with a sadness that will make her feel as if she stood alone in the blast to mourn the loss of her well-beloved son.

(Another Journal.)

The death of John J. Crittenden will be mourned by the people of the nation throughout its expanded limits. It is impossible for

any one left among us to fill the measure of his stature in the councils of the nation. His long public services, his eminent talents, his splendid oratory, and, above all, his enlightened patriotism, gave him an influence for good, at this momentous crisis in the nation's history, surpassed by that of no man now upon the stage of action.

(Meeting of the City Council.)

In response to a call made by Mayor Kays there was a meeting of both Boards of the City Council, in their chamber, last evening. They met in joint session in the lower room, for the purpose of making arrangements to attend the funeral of the late lamented country-loving hero, Hon. John J. Crittenden, which is to take place at Frankfort, on Wednesday next. The Mayor, ex-Mayor, both Boards of the City Council, and ex-members of the same, will attend the services at Frankfort, leaving this city on Wednesday morning at five o'clock, upon a special train.

A resolution was adopted, to the effect that the hall be draped in mourning, and that each member wear the usual badge of mourning for thirty days. The celebrated Louisville Post Band have kindly volunteered their services, and will discourse their sad and plaintive melodies upon this most sacred and solemn occasion. The following preamble and resolutions were read and adopted:

*Whereas*, The sad intelligence of the death of the Hon. John J. Crittenden, on the morning of the 26th instant, at Frankfort, the capital of this State, having reached us, the Mayor and General Council of the city of Louisville express their resignation in the will of God; and although they deplore his loss to his family, yet they fully realize how a nation's tears will bedew his bier, and how they will hang green garlands upon the grand column of his fame, which rises in the world like Pompey's Pillar, at Alexandria, redolent of all that is pure and noble in man, and resplendent in all that finishes the statesman. The Bayard of America is gone! without fear and without reproach. Yet his great acts, his wisdom and voice, still thunder in our ears for the right.

*Resolved*, That we leave in the cars at half-past five o'clock, on Wednesday morning next, and visit Frankfort, for the purpose of attending the funeral of the Hon. John J. Crittenden, and that ex-members of the General Council, city officers generally, and the citizens be invited to accompany us.

*Resolved*, That we will wear a badge of mourning on the left arm for thirty days, and that the Council-chamber be draped in mourning for the same period.

*Resolved*, That these resolutions be spread upon the minutes of this Council, and that a copy thereof be sent to the family of the deceased.

(Funeral Ceremonies of Hon. John J. Crittenden, at Frankfort, Kentucky.)

EXECUTIVE DEPARTMENT, FRANKFORT, July 27, 1863.

When a great man dies a nation mourns. Such an event has occurred in our midst in the death of the Hon. John J. Crittenden, Kentucky's longest-trying statesman in her public service, a man faithful to every trust; one who has added, by his talents and character, to the fame of the nation, and has pre-eminently advanced the glory and honor of his native Kentucky. It is fit and proper that all testimonials of respect and affection should be paid his remains by all in authority, as well as by private citizens. I therefore earnestly request that all places of business shall be closed on Wednesday next, from the hour of ten o'clock in the morning until five of the afternoon, and hereby direct all the public offices in Frankfort to be closed during that entire day; and I appoint General John W. Finnell, Colonel James H. Garrard, and Colonel Orlando Brown a committee to make all suitable arrangements for the funeral.

J. F. ROBINSON.

By the Governor.

D. C. WICKLIFFE, *Sec'y of State*.

The body will be removed from the late residence of the deceased to the Presbyterian church, where services will be performed, on Wednesday morning, July 29th, at ten o'clock.

The procession will move from the church south on Wilkerson to Wapping Street; east on Wapping to St. Clair; north on St. Clair to Main; east on Main to Cemetery.

#### ORDER OF PROCESSION.

General J. T. Boyle, Chief Marshal, and Staff.  
Military escort in command of Colonel Allard, Second Maryland Volunteers.

#### MUSIC.

##### PALL-BEARERS.

James Guthrie,  
Benjamin Gratz,  
J. R. Thornton,  
Tucker Woodson,  
Samuel Nuckols,

{  
HEARSE.  
}

##### PALL-BEARERS.

Gen. Peter Dudley,  
Col. A. H. Rennick,  
Jacob Swigert,  
E. H. Taylor,  
Mason Brown.

Family in carriages.

Assistant Marshal, Colonel H. M. Buckley.  
Governor and Staff.

Officers of the several State Departments.  
 Judges and Officers of State Courts.  
 Mayor and Council of the City of Frankfort.  
 Assistant Marshal, Colonel W. Cooper.  
 Major-General Burnside and Staff.  
 Major-General Hartsuff and Staff.  
 Assistant Marshal, Lieutenant-Colonel Chas. S. Hanson.  
 Such other Officers of the United States Army as  
     may be present.  
 Assistant Marshal, Major John Mason Brown.  
 Citizens on foot. Citizens in carriages.  
 Citizens on horseback.

JAMES H. GARRARD,  
 ORLANDO BROWN,  
 JOHN W. FINNELL,  
*Committee of Arrangements.*

(Speech of R. C. Winthrop to the Massachusetts Historical Society on the Death of Mr. Crittenden.)

At the stated monthly meeting of the Massachusetts Historical Society, Hon. Robert C. Winthrop announced the death of Hon. John Jordan Crittenden, an honorary member of the society.

Mr. Winthrop gave the following appropriate sketch of the public life of Mr. Crittenden, characterizing him as an ever-faithful and firm friend of the Union:

Mr. Crittenden died at Frankfort, Kentucky, the 26th of July last, at the age of seventy-six.

It may not have been forgotten that, at our February meeting, in 1859, the Hon. John J. Crittenden was unanimously chosen an honorary member of this society. He was not elected on account of any peculiar claims which he possessed either as a writer or a student of history. He was known to some of us, however, who had been associated with him elsewhere as being more than commonly familiar with the early, as well as with the later, history of our own land, and as having a strong taste and even an eager relish for the peculiarities and quaintnesses of the early times of New England in particular. But his name was selected for a place on our honorary roll on far different grounds. Mr. Crittenden was recognized as one of the few veteran statesmen, then left in our national councils, whose name had become identified with the honor and welfare of the American Union, and whose character and fame were destined to be among the treasures of our national history. And now, that we are called on to part with that name, not only from our own roll, but from all its associations with earthly dignities and



duties, we feel that we were not mistaken in our estimate of his historical significance.

Mr. Crittenden entered into the service of his country as a volunteer soldier in the war of 1812. His life, for more than half a century past, has been a continued record of public employment and patriotic effort. In the legislature of his native State, and more recently as its governor; as a member of the Senate of the United States, in which he first took his seat forty years ago; as a member of the cabinet under more than one President; and finally, as a representative in Congress, an office which, like our own Adams, he felt it no compromise of his dignity to accept and hold as the closing honor of his life,—he was everywhere distinguished, admired, respected, and beloved. Whatever differences of opinion may from time to time have been entertained as to any particular measures which he proposed or advocated, his patriotism was never doubted, nor his devoted and disinterested fidelity to his conscience and his country ever impeached.

In the sad struggles which have grown out of the present unholy rebellion, he was called on to play a part of no doubtful or secondary importance. Whether the precise measure of adjustment which he proposed, in order to arrest the unnatural blow which was aimed at the American Union, ought to have been, or could have been, adopted, and how far it would have been successful in accomplishing its object, if it had been adopted, are questions on which there will never probably be a perfect unanimity of opinion. But the name of Mr. Crittenden will not the less proudly be associated, in all time to come, with an honest, earnest, and strenuous effort to arrest the dreaded calamities of civil war, and to preserve unbroken the union and the domestic peace of his beloved country.

As the leading statesman of the border States, his course was full of delicacy and difficulty. It is hardly too much to say that, had he failed or faltered in sustaining the cause of the government and of the Union, or had he sustained it on any other grounds or in any other way than he did, the State of Kentucky might have been lost to the cause. Nor can any one doubt that the loyal and noble attitude of that honored Commonwealth, at the present hour, on which the best hopes of the Union may even now hang, is, in a large degree, owing to his powerful influence, his inspiring appeals, and his unwavering patriotism.

This is not the occasion for speaking of the personal qualities which so endeared Mr. Crittenden to his friends, and which made friends for him of all who knew him. Others have possessed faculties more adapted for commanding and enforcing a

compliance with their wishes, their ambition, or their will, but no one of our day and generation, certainly, had more of that magnetic attraction which secured the willing sympathy, confidence, and co-operation of all within its reach. The charm of his manner, the cordiality and generosity of his whole nature, the music of his voice, and the magic power of his eloquence, as well in conversation as in formal discourse, will be among the lasting traditions of the circles in which he moved; and his death will be long felt, not only as a great public loss at such a period of his country's need, but as a personal sorrow to all who have enjoyed the privilege of his friendship.

Extracts from Remarks of Hon. J. F. Bell, December 12th, 1863, in the House of Representatives upon the Presentation of the Preamble and Resolutions of Mr. Bedford, of Franklin County, announcing the Death of the Hon. John J. Crittenden.

Mr. Bell said: Since the adjournment of the last legislature Kentucky has lost her most honored son. The State mourns his death, and the nation joins in condolence, for this their common and irreparable loss. It is becoming that there should be some legislative expression by the representatives of the people of this his native State, here assembled, to make permanent their high appreciation of his many virtues and their sincere sorrow for his death. I need not say I allude to John J. Crittenden. The resolutions offered by Mr. Bedford have already announced his death and contain an appropriate eulogy.

It may not be inappropriate for me to make some general remarks on the character and services of the deceased. Mr. Crittenden was born in Woodford County, in this State, on the 10th of September, 1787, and died in this city on the 26th of July, 1863. He chose the profession of the law, and commenced its practice in the town of Russellville, Kentucky, in 1806, shortly after which he removed to this city, where he continued to reside till his death.

He was on several occasions a member of this House. He was elected to the Senate of the United States for the first time in the winter of 1816; his term of service commenced on the 4th of March, 1817, and terminated by resignation in 1819. This was his first appearance in the national councils. He was subsequently elected to the Senate, and held that distinguished position from 4th of March, 1835, till 4th of March, 1841. He then became a member of General Harrison's cabinet as Attorney-General. After the dismemberment of that cabinet he was again elected, 25th of February, 1842, to fill out an unexpired term of Henry Clay, made vacant by his resignation, and was

re-elected to hold the same office from the 4th of March, 1849. Mr. Crittenden resigned his senatorial position in 1848, and was elected governor of Kentucky. After his election he was tendered a place in President Taylor's cabinet, but deemed it his duty to decline this flattering offer. Upon the accession of Mr. Fillmore to the Presidency, on the death of General Taylor, he was induced to accept the place of Attorney-General, which he held until the expiration of Mr. Fillmore's term of office. He was re-elected to the Senate of the United States in 1855, and remained until the 4th of March, 1861. Upon the expiration of this term he was returned to the House of Representatives, in Congress, for the Ashland district, and was a candidate for re-election, without opposition, at the time of his lamented death. In all the varied capacities and relations in which he was called upon to act, as friend, companion, lawyer, and statesman, he conducted himself with consummate propriety, dignity, and ability. Mr. Crittenden in his social intercourse was affable with all, familiar with but few; was more generous in sentiment than lively in attachment; he was guided by the most honorable principles and an instinctive sense of propriety rarely at fault. In general intercourse he availed himself with great grace of the conventionalities which a well-regulated society uses as a fence-work against intrusive vulgarity. He was uniform in conduct: the haughtiest senator, the humblest citizen alike, were treated by him with respect; he flattered neither, he counted himself superior to neither; he was social in a high degree, and had the happy faculty of making all enjoy the elegant hospitality which he dispensed here and at Washington for more than thirty years. He was witty, but his wit was never winged with malice; he was quick to resent insult, but ready to forgive wrong; he ever sought peace, except at the expense of honor; his high character, his known courage and honor, caused him to be selected as the arbiter to determine many controversies which, but for his interposition, might have terminated in bloody and fatal conclusions.

With such qualities Mr. Crittenden was necessarily eminently personally popular. Free himself from bitterness or personal asperities towards others, he was exempt from such shafts as these qualities usually occasion from personal and political adversaries. Mr. Crittenden possessed common sense, knew *men* and *things* as they are, rarely sought to be prophetic, but confined his judgment to current events, and made it his study to do, day by day, that which appeared to be for the best. Take him for all in all, he possessed rich and rare elements of character. Kentucky may well be proud of him as one who dis-

tinctly impersonated the best qualities of Kentucky character. He possessed generous emotions, flashing eloquence, knightly chivalry, dauntless courage, and undying devotion to his country's best interests, and he has been styled "the Bayard, the knight without fear and without reproach." Mr. Crittenden had the profoundest regard for the profession of the law, of which he was so distinguished an ornament; he regarded the law as the arena of the athletes, who were to strive for the world's honors. Much more: he regarded it as a nursery for heroes, who were to contend, and should always contend, for the freedom of men and for constitutional government. He was especially fitted for the successful practice of the law, having acquired a well-grounded knowledge of its elementary principles, which was enlarged by a more copious reading than is generally supposed; his bearing to court and jury was deferential, to his brothers respectful and dignified; he possessed in his profession that quality which, according to the English vocabulary, is called "cleverness" or skill, the capacity to adapt himself to surrounding circumstances and use with readiness all the arguments suited to his case; his powers of persuasion were of a high order; he had acquired as an orator the great art, as Cicero calls it, of making himself agreeable to the tribunal before which he was to plead, and of identifying himself completely with his cause; he never wrongly quoted the testimony, never misstated his adversary's arguments,—indeed, stated it with such fairness that oftentimes the clumsy advocate was amazed to find that his argument had been more clearly restated by his polished adversary only to have it successfully refuted.

I have seen Mr. Crittenden in the Senate of the United States among those called greatest,—he was the *peer of all*. His best speeches in the Senate were extemporaneous, under the magic influence imparted to his genius by generous emotions, contempt for meanness, hatred for wrong, admiration for loftiness of purpose, and an unyielding spirit to uphold the right. In his political and senatorial debates he was quick of apprehension, clear in statement, eloquent and earnest in argument; always candid, never seeking an advantage at the expense of truth; unambitious, forgetful of himself; and, above all, truly patriotic ever looking to his country's good. Mr. Crittenden has been concerned, and taken an active part, in all the exciting scenes which have transpired since 1816, and his history is intimately connected with the history of the country. It forms a bright and shining filament in the great web which time has woven. With, perhaps, the exception of a single individual, who stands

in Kentucky's and the nation's history in luminous conspicuity single and alone, no one has exercised so large an influence on the destiny of Kentucky as Mr. Crittenden. His influence was always for the public good, for high conservatism. No executive or extravagant episode ever disfigured the majestic current of his grand history. Like one of the fabled rivers, from fountain to terminus, his course was ever strong, yet almost without a ripple.

Mr. Crittenden was born before the adoption of the Federal Constitution. He has seen his country grow from weakness to strength, from poverty to wealth. None watched its progress with more intense interest. He loved his native State with the ardor and devotion with which a son loves his mother.

Surrounding influences in infancy necessarily impart to a child a controlling impulse for good or ill. Mr. Crittenden, in childhood, could almost hear the dying echoes of the thunders of that artillery by which our freedom was won. He could hear the jubilant shouts of a people made glad for freedom secured. He often heard repeated from parental lips the story of the sufferings, and the heroism exhibited by our fathers, in their Revolutionary struggle; he heard from the same revered lips of the personal prowess of the men who came across the mountains with axe and rifle to redeem this beautiful land from the Indian and the wild beast.

Mr. Crittenden had arrived at a great age, and his way of life had fallen into the sere and yellow leaf, yet he had that which should accompany old age, as honor, love, obedience, troops of friends. It would have seemed to human wisdom that, for the public good, Mr. Crittenden should have been spared. With his large experience and great wisdom he could have rendered immense service to the republic in the terrible strife through which we are now passing. Yet, by the judgment of an inscrutable *Providence*, he has been stricken down. All must yield to death, and sink beneath his power. Ages come and ages go, empires rise and fall, generation after generation passeth away, yet the sceptre of the grim king remains unbroken: his power never weakens. Mr. Crittenden has but suffered the common fate of all humanity. He met that fate with heroic and Christian courage. His death was under most fortunate surroundings. He did not die in a strange land among strangers; he did not die from home; nor, as so many are now doing, uncared for, amid the tumult and carnage of the battle, nor of wounds or lingering disease in loathsome hospitals; he died at home, on his own native land; the land on which he was cradled in infancy, matured in manhood, revered

and honored in old age. He died in full possession of his faculties, almost without a struggle, surrounded by his friends, his children, and family, whom he loved so well; and sustained during the trying hour by such ministrations as they alone can furnish, and which contribute so much to make smooth the pathway of earth's pilgrims down to the shadows of the dark valley. The Romans called no man fortunate till his death,—no matter how long his life, no matter how great his services might have been to his country and to his race,—believing, as they did, that some misfortune or misconduct might mar the successful past. With such a life and such a death Mr. Crittenden would have been called by them fortune's favorite. Mr. Crittenden will no longer mingle in our midst, and guide us by his wisdom and prudence during these perilous times. He shall “no more return to his house, neither shall his place know him any more;” he has gone to his long home, and “the mourners go about the streets.” The mourners cannot reclaim him, but we can, to some extent, imitate his *virtues* and emulate his example. Let us now, in affectionate remembrance of him, draw the mantle of charity over faults, if such he had, and, so far as we can by the passage of these resolutions, give to his name that historic immortality to which it is entitled for his great services and eminent virtues.

To these resolutions I have added these imperfect remarks as the humble tribute of my sincere regard for the distinguished dead.

The State of Kentucky has erected a monument to Mr. Crittenden in the cemetery at Frankfort, Kentucky. On the face of this monument is a medallion-likeness of Mr. Crittenden, modeled from Hart's celebrated bust. On the upper side is the following inscription:

Erected by the State of Kentucky in honor of her illustrious son,

JOHN J. CRITTENDEN,

Member of the Legislature, Governor, Representative, and Senator in Congress, and Attorney-General of the United States.

For fifty years he devoted himself, with inflexible integrity, consummate wisdom, and patriotic zeal, to the cause and service of his native State, and of his whole country. His great talents made him pre-eminent in the elevated offices he filled, and placed

him among the first of American statesmen. "Let all the ends thou aimest at be thy country's, thy God's, and truths," were among his last words. They were the rule of his life, and are a fitting inscription upon his tomb. The history of the nation will bear witness to his lofty patriotism, and Kentucky will ever cherish the memory of her son.

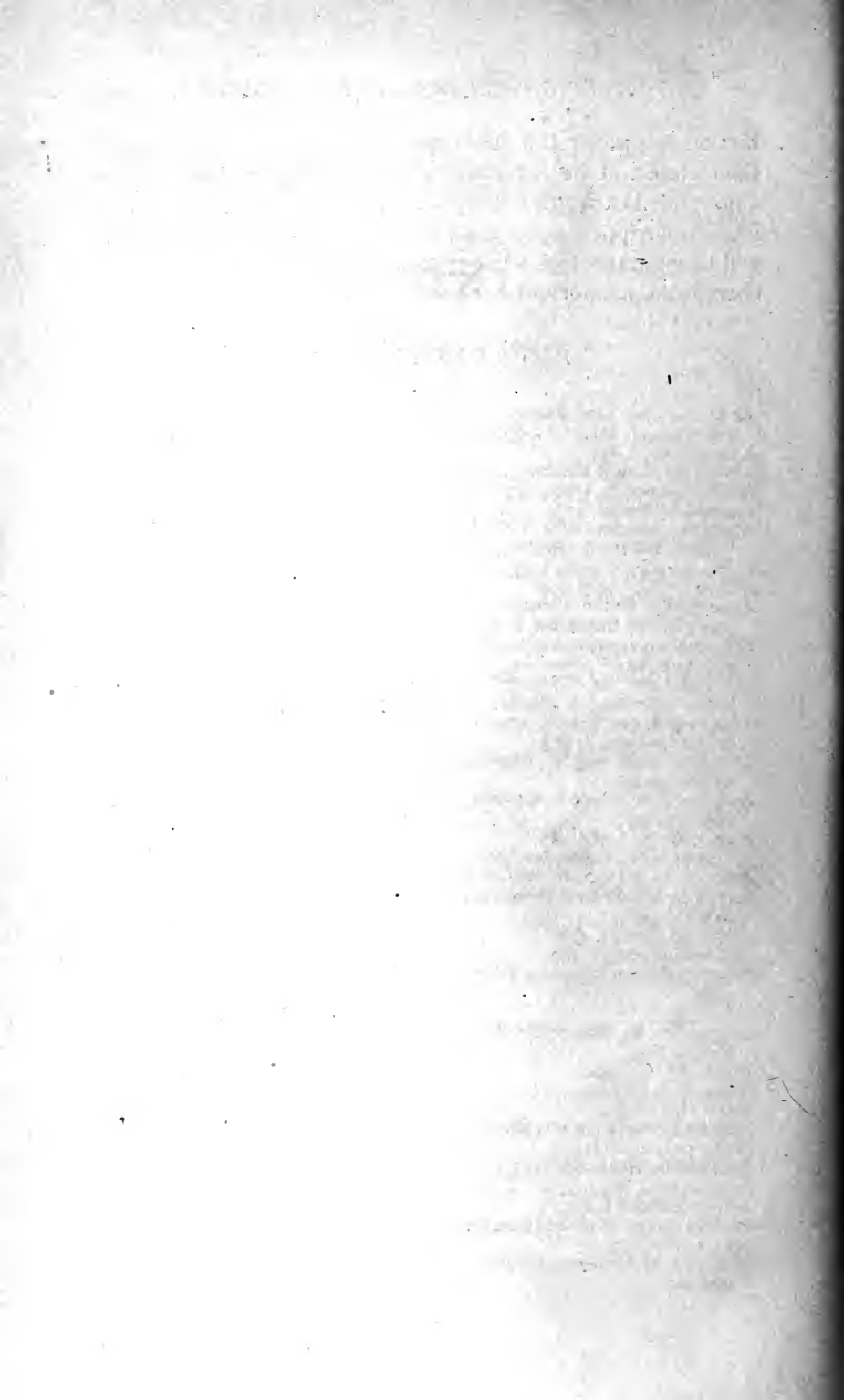
JOHN J. CRITTENDEN;

born

September 10th, 1787;

died

July 26th, 1863.





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